



## Bureau of Justice Statistics

# Family Violence Statistics

Including Statistics on Strangers and Acquaintances

**Reported and unreported family violence**

**Murder of family members**

**Family violence reported to police**

**Family violence recorded by police**

**State prosecution of family assault**

**Federal prosecution of domestic violence**

**Family violence offenders in prison**

**Family violence offenders in jail**

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# Family Violence Statistics

**Including Statistics on Strangers and Acquaintances**

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## Highlights, definitions, and counting rules

### Introduction

This compendium contains the most recent family violence statistics from these sources: surveys conducted by the Bureau of Justice Statistics (BJS), the BJS database of Federal statistics, and two statistical databases maintained by the FBI.

The sources provide statistical snapshots of family violence at different stages in the administration of justice. First are statistics on the nature and extent of family violence. Next are statistics on family violence that is reported to police, followed by statistics on the prosecution of persons charged with family violence. Lastly are statistics on persons sent to prison or jail for family violence.

The report is divided into eight sections giving statistics on —

- Reported and unreported family violence
- Fatal family violence
- Family violence reported to police
- Family violence recorded by police
- State prosecution of family assault
- Federal prosecution of domestic violence
- Family violence offenders in prison
- Family violence offenders in jail.

### Highlights

#### *Trends in family violence*

The rate of family violence fell between 1993 and 2002 from an estimated 5.4 victims to 2.1 victims per 1,000 U.S. residents age 12 or older. Throughout the period family violence accounted for about 1 in 10 violent victimizations.

#### *Reported and unreported family violence*

Family violence accounted for 11% of all reported and unreported violence between 1998 and 2002. Of these roughly 3.5 million violent crimes committed against family members, 49% were crimes against spouses, 11% were sons or daughters victimized by a parent, and 41% were crimes against other family members.

The most frequent type of family violence offense was simple assault. Murder was less than half of 1% of all family violence between 1998 and 2002.

About three-fourths of all family violence occurred in or near the victim's residence.

Forty percent of family violence victims were injured during the incident. Of the 3.5 million victims of family violence between 1998 and 2002, less than 1% died as a result of the incident.

The majority (73%) of family violence victims were female. Females were 84% of spouse abuse victims and 86% of victims of abuse at the hands of a boyfriend or girlfriend.

While about three-fourths of the victims of family violence were female, about three-fourths of the persons who committed family violence were male.

Most family violence victims were white (74%), and the majority were between ages 25 and 54 (65.7%). Most family violence offenders were white (79%), and most were age 30 or older (62%).

#### *Fatal family violence*

About 22% of murders in 2002 were family murders. Nearly 9% were murders of a spouse, 6% were murders of sons or daughters by a parent, and 7% were murders by other family members.

Females were 58% of family murder victims. Of all the murders of females in 2002, family members were responsible for 43%.

Children under age 13 were 23% of murder victims killed by a family member, and just over 3% of nonfamily murder victims.

The average age among sons or daughters killed by a parent was 7 years, and 4 out of 5 victims killed by a parent were under age 13.

Eight in ten murderers who killed a family member were male. Males were 83% of spouse murderers and 75% of murderers who killed a boyfriend or girlfriend.

In 2002 family murders were less likely than nonfamily murders to involve a firearm (50% versus 68%). Parents were the least likely family murderers to use a firearm (28%), compared to spouses (63%) or other family members (51%).

Among incidents of parents killing their children, 19% involved one parent killing multiple victims.

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### *Family violence reported to police*

Approximately 60% of family violence victimizations were reported to police between 1998 and 2002. The reporting rate among female victims was not significantly greater than the reporting rate among male victims.

The most common reason victims of family violence cited for not reporting the crime to police was that the incident was a "private/personal matter" (34%). Another 12% of non-reporting family violence victims did not report the crime in order to "protect the offender."

Among the 2.1 million incidents of family violence reported to police between 1998 and 2002, 36% resulted in an arrest.

### *Family violence recorded by police*

Family violence accounted for 33% of all violent crimes recorded by police in 18 States and the District of Columbia in 2000. Of these more than 207,000 family violence crimes, about half (53%, or 110,000) were crimes between spouses.

Among crimes recorded by police, 2% of family violence involved a firearm, compared to 6% of nonfamily violence. A weapon was used in 16% of family and 21% of nonfamily violence.

About 6% of all violent crime recorded by police in 2000 involved more than one offender victimizing a lone victim. The exception was stranger crime, in which 14% of incidents involved multiple offenders victimizing a lone victim.

About 49% of family violence crimes recorded by police resulted in an arrest. Males comprised 77% of suspected family violence offenders arrested in 2000.

### *State prosecution of family assault*

Of the approximately 1,500 defendants charged with felony assault during May 2000 in the State courts of 11 large counties, about a third were charged with family violence.

Among felony assault defendants charged with family violence in State courts, 84% had at least one prior arrest for either a felony or a misdemeanor (not necessarily for family violence), and 73% had been previously convicted of some type of felony or misdemeanor (not necessarily family violence).

Nearly half of felony assault defendants charged with family violence were released pending case disposition.

Among the 1,500 felony assault cases, the probability of the case leading to conviction (felony or misdemeanor) was greater for family assault defendants (71%) than nonfamily assault defendants (61%).

State courts sentenced 83% of persons convicted of assault (both family and nonfamily) to either prison or jail. Among felony assault defendants convicted in State courts —

- 68% of incarceration sentences for family assault were to jail
- 62% of incarceration sentences for nonfamily assault were to prison
- 45% of persons sent to prison for family assault received a sentence of more than 2 years, compared to 77% of nonfamily assault offenders sent to prison.

### *Federal prosecution of domestic violence*

Persons suspected of domestic violence made up 4% of the total 18,653 Federal suspects referred to U.S. attorneys for alleged violent crimes from 2000 to 2002.

Of the 757 suspects referred to U.S. attorneys for domestic violence offenses between 2000 and 2002, most were firearm-related domestic violence offenses rather than interstate domestic violence offenses.

- The Bureau of Alcohol, Tobacco, Firearms and Explosives accounted for 80% of all referrals for firearm-related domestic violence.
- The FBI accounted for 72% of all interstate domestic violence referrals.

Federal courts convicted 90% of defendants adjudicated for an interstate domestic violence offense.

Among defendants convicted in federal courts —

- 79% of convictions were the product of a guilty plea, and the remaining 21% were the product of conviction following a trial
- most were male (96%), under age 40 (67%), white (72%), and non-Hispanic (95%)
- 4 in 5 defendants had a prior adult conviction.

Of 47 Federal defendants sentenced for an interstate domestic violence offense between 2000 and 2002, 91% received a prison term with a median length of 60 months.

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*Family violence offenders in prison*

Of the nearly 500,000 men and women in State prisons for a violent crime in 1997, 15% were there for a violent crime against a family member.

Nearly half of all the family violence offenders in State prisons were serving a sentence for a sex offense against a family member. More than three-quarters of parents convicted of a violent crime against their son or daughter were in prison for a sex offense.

Of the crimes for which family violence offenders were in prison —

- most were against a female (78%)
- more than half were against a child under age 18
- more than a third were against a child under age 13.

About 90% of offenders in State prisons for family violence had injured their victim:

- 50% of family violence victims were raped or sexually assaulted
- 28% of the victims of family violence were killed
- 50% of offenders in State prisons for spousal abuse had killed their victims
- Of State prison inmates imprisoned for a crime against their son or daughter, 79% had raped or sexually assaulted the child, and another 10% had killed the child.

Among family violence offenders in State prisons in 1997 —

- most were male (93%)
- 6 out of 10 were white, while about a quarter were black
- about 80% were between ages 25 and 54.

Among offenders whose incarceration in State prisons was for family violence, 23% had used a weapon to commit their crime. The comparable percentage among State prisoners incarcerated for nonfamily violence was higher— 46%.

*Family violence offenders in jail*

Convicted family violence offenders made up about 22% of the nearly 86,500 convicted violent offenders in local jails in 2002. Most (60%) of these approximately 18,700 jail inmates incarcerated for family violence were in jail for an aggravated assault.

Local jail inmates convicted of family violence reported that —

- their victims were predominantly female (79%)
- nearly 30% of their victims were under age 18.

Among local jail inmates convicted of family violence, 55% injured their victim.

Most convicted jail inmates serving time for violence against a family member (88%) did not use a weapon during the crime.

Among jail inmates convicted of family violence, 45% had been subject to a restraining order at some point in their life. About 18% were under an active restraining order at the time of admission to jail.

## Definitions

**Violent crime** Unless indicated otherwise, statistics on violent crime in this report pertain to all forms of the following crimes: criminal homicide, completed and attempted rape, sexual assault (including threats), robbery, assault (including threats), kidnaping, intimidation, illegal abortion, extortion, cruelty towards child or wife, hit-and-run driving with bodily injury, and miscellaneous crimes against persons (as opposed to crimes against property).

**Family violence** Unless indicated otherwise, family violence includes all types of violent crime committed by an offender who is related to the victim either biologically or legally through marriage or adoption. A crime is considered family violence if the victim was the offender's current or former spouse; parent or adoptive parent; current or former stepparent; legal guardian; biological or adoptive child; current or former stepchild; sibling; current or former step sibling; grandchild; current or former step- or adoptive-grandchild; grandparent; current or former step- or

adoptive-grandparent; in-law; or other relative (aunt, uncle, nephew).

**Nonfamily violence** Unless indicated otherwise, nonfamily violence includes all types of violent crime between current or former boyfriends and girlfriends; between current or former friends and acquaintances; and between strangers.

**Relationship of victim to offender** The databases used in this report all contain sufficient information to permit identification of family violence cases.

However, the types of information that make identification possible are not uniform. Some provide more relationship categories than others. For example, the Supplemental Homicide Reports provides 28 different categories of victim-offender relationship, while the National Crime Victimization Survey has 15 categories. Also, the databases use different terms to describe specific victim-offender relationships. For example, one uses the category "employee/employer," while another uses "colleague at work."

In general, enough information was available in each of the databases to distinguish six categories of victim-offender relationship: three family categories (spouse, son or daughter, and other family), and three nonfamily categories (boyfriend/girlfriend, friend/acquaintance, and stranger). Most sections of the report present statistics on all six categories.

## Sources of data on family violence

### National Crime Victimization Survey (a BJS survey)

One data source used to document the nature and extent of family violence in the United States is the BJS National Crime Victimization Survey, or NCVS, for 1998 to 2002. The NCVS compiles data on family and nonfamily violence through biannual interviews with nationally representative samples of U.S. residents age 12 or older. In these interviews, residents are asked if they were a recent victim of crime. Those who were victims are then asked numerous questions about the incident, such as where it occurred and whether they knew the offender. Residents are encouraged to tell interviewers both about crimes that were reported to police and about unreported crimes.

Because the survey data come from interviews with victims, the NCVS has no information on homicide. The survey's scope is limited to certain forms of nonfatal violence: rape and sexual assault, robbery, aggravated assault, and simple assault. Based on interviews with the Nation's crime victims, estimates are formed not only of how many of these crimes occur each year but also of the characteristics pertaining to the criminal incidents. Such characteristics include the number of victims that obtained medical care for their injuries, the number that reported the crime to police, and the number whose assailant was a relative.

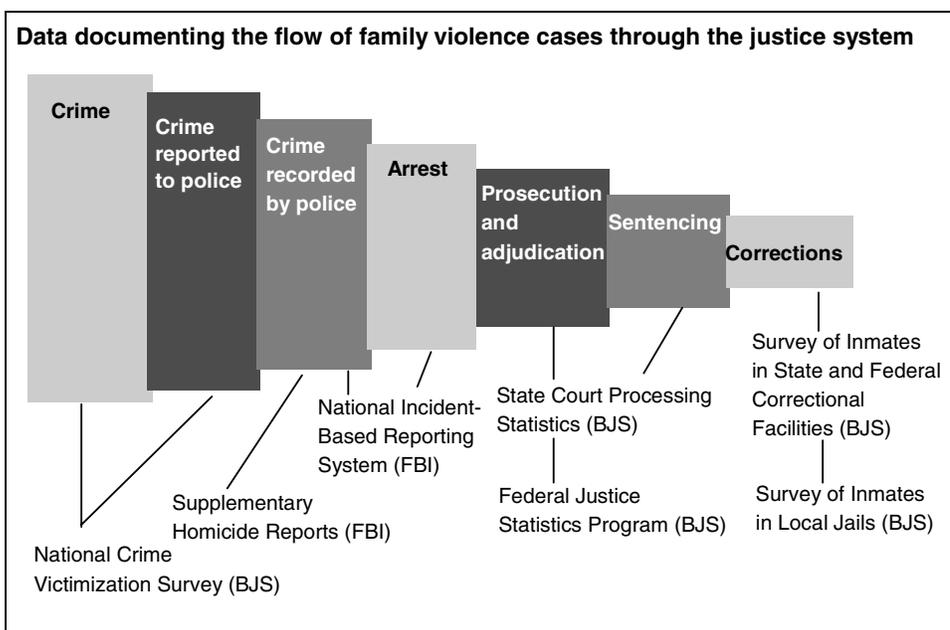


Figure 1

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*Supplementary Homicide Reports  
(an FBI database)*

For national statistics on family homicide for the year 2002, the source used in this report was the FBI's Supplementary Homicide Reports, or SHR. The FBI compiles detailed national data on family and nonfamily homicide from the thousands of law enforcement agencies across the Nation. For each criminal homicide, the SHR record such information as the age and race of the offender, the relationship of the victim to the offender, and the type of weapon used in the killing.

*National Incident-Based Reporting System (an FBI database)*

For statistics on family violence that comes to police attention and for statistics on arrests for family violence, the source used in this report is the database for the year 2000 from the National Incident-Based Reporting System, or NIBRS. The database, compiled by the FBI, contains NIBRS data from at least 1 police agency in each of 18 States and the District of Columbia. These jurisdictions cover about 16% of the U.S. population and do not include any areas with a population of one million or more.

The NIBRS data have information on victims, offenders, persons arrested, and incidents of family and nonfamily violence. For example, information on victims includes the type of injury sustained and the victim's relationship to the offender. Among the various details available on offenders and arrestees are their age, race, and gender. Offense characteristics available in the NIBRS data include the type of weapon used and the type of location where the crime occurred.

*State Court Processing Statistics  
(a BJS data collection)*

No national data in the United States describe the processing of family violence cases from arrest through final disposition by a court. The available alternative used in this report is an extract of the BJS data collection State Court Processing Statistics (SCPS). The SCPS data used are entirely from police and court records that tracked family and nonfamily assault cases in 11 counties, from the filing of State court charges in May of 2000 to their final court disposition. These data include information about persons arrested and charged with family and nonfamily assault: their demographic characteristics, their prior arrest and conviction record, and their criminal justice status at time of arrest. The SCPS data also contain information about the processing of the assault cases, such as type of pretrial release, adjudication outcome, and type of sentence imposed.

*Federal Justice Statistics Program  
(a BJS database)*

Information regarding violations of family violence-related Federal statutes that were subsequently referred to Federal court come from the Federal Justice Statistics Program (FJSP), a database maintained by the Bureau of Justice Statistics. FJSP provides annual data on workload, activities, and outcomes associated with Federal criminal cases. Data for 2000 to 2002 were acquired on all aspects of processing in the Federal justice system, including the number of persons investigated, prosecuted, convicted, and incarcerated. The FJSP database is a BJS database, constructed from files provided by the U.S. Marshals Service, the Executive Office for United States Attorneys, the

Administrative Office of the United States Courts, the United States Sentencing Commission, and the Federal Bureau of Prisons.

*Survey of Inmates in State and Federal Correctional Facilities (a BJS survey)*

For national statistics on persons in prison for family violence, this report used the BJS Survey of Inmates in State and Federal Correctional Facilities, conducted in 1997. The survey involves face-to-face interviews with a nationally representative sample of State prisoners. Persons in prison for either family or nonfamily violence are included in the sample. Through interviews with them, information is obtained on their victims and on numerous other characteristics of the crime that brought them into prison, such as whether a weapon was used, and the location of the offense.

*Survey of Inmates in Local Jails  
(a BJS survey)*

For statistics on inmates who were convicted of family violence and sentenced to a period of incarceration of less than 1 year, the source used in this report is the BJS Survey of Inmates in Local Jails. This is a periodic survey which describes the current offenses and offense characteristics of local jail inmates. Most recently conducted in 2002, face-to-face interviews were conducted with a nationally representative sample of local jail inmates to collect systematic information on this special correctional population. Questions were asked regarding the relationship of the victim to the incarcerated offender, the gender, race/Hispanic origin, and age of victims and offenders, injury to the victim, offender use of a weapon, offender substance use at the time of the crime, and the place at which the crime occurred.

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## Uniform counting rules

Incidents of crime vary depending on the number of offenders, number of offenses committed, and number of victims. For instance, in a single incident where two men rape and rob a woman, there are two offenders, four offenses (a rape and a robbery committed by each man), and a single victim. Such an incident differs from one in which a lone man assaults another individual. That incident involves one offender, one offense, and one victim.

The various databases used in this report are not uniform in the amount of information they contain about each incident of crime. One of the databases (NIBRS) contains information on virtually every offender, every victim, and every offense in an incident. The other databases contain less information. For example, offender characteristics available in the prisoner database pertain only to each individual incarcerated offender. The incident that resulted in that person's incarceration may have involved multiple offenders, but information on co-offenders was unavailable.

To improve the comparability of statistics across the databases, rules were adopted to guide tabulations. All statistics in this report — that is, statistics on offenders, on offenses, and on victims — follow the rule that each incident be treated as though it involved one offender, one offense, and one victim.

If an incident involved more than one *offender* and information (such as age, race, and gender) was available on more than one offender, the available data on just one of the offenders were tabulated. Similarly, if an incident involved more than one *offense* and information on the different offenses (such as the place where each occurred) was available, only the data on one of the offenses were counted.

Likewise, if an incident involved more than one *victim* and the database contained information (such as the victim's age, race, and gender) on more than one victim, victim statistics used in the analysis were based on just one of the victims.

Certain databases used in the report — NCVS, SHR, and NIBRS — were victim-based. Choosing a particular victim to characterize an incident was unnecessary with these databases. Other data collections used in the report — Survey of Inmates in State and Federal Correctional Facilities and Survey of Inmates in Local Jails — were offender-based. Choosing a particular offender to characterize an incident was unnecessary with these sources.

Where choices had to be made about which offender, which offense, or which victim characterized an incident, the choices were guided by various hierarchies. Information about the hierarchies is summarized below.

In choosing a particular *offender* to characterize an incident, the choice was guided by the victim's relationship to the offender. For example, in a single incident in which a woman was assaulted by her husband and a stranger, the incident was treated as a spouse-on-spouse assault. Offender statistics for such an incident (such as age, race, and gender) therefore pertained solely to the characteristics of the husband; characteristics of the stranger were not tabulated.

Selecting the husband over the stranger to characterize the incident conforms to a rule adopted for this report that says to select whichever offender is highest in the following victim-to-offender relationship hierarchy (shown in order from highest to lowest, with column headings in italics):

### *Spouse*

spouse and common-law spouse  
ex-spouse

### *Son or daughter*

child  
stepchild

### *Other family*

parent and stepparent  
sibling and step-sibling  
grandchild  
grandparent  
in-laws  
other relative

### *Boyfriend or girlfriend*

boy/girlfriend  
ex-boy/girlfriend  
homosexual partner

### *Friend or acquaintance*

child of girl or boyfriend  
friend  
neighbor  
employer  
employee  
acquaintance  
babysittee  
otherwise known

### *Stranger*

stranger

### *Not included in analysis*

relationship unknown

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When it was necessary to choose a single *victim* to characterize an incident, the victim-offender relationship hierarchy was also used. Again, the chosen victim was the one highest in the hierarchy.

In choosing a particular *offense* to characterize an incident, the choice was guided by the offense's position in a hierarchy of offense seriousness. The offense highest in the hierarchy was selected to characterize the incident. For example, in a single incident where the victim was raped and murdered, the offense selected to characterize the incident was murder because murder is higher in the offense seriousness hierarchy than rape. The offense seriousness hierarchy (from most to least serious) generally corresponds to the offense list shown in table 5.1.

As noted earlier, each incident tabulated in this report was treated as having one offender, one offense, and one victim. Each incident was also treated as having one offense location, one victim injury (if any), one weapon involved (if any), one arrestee (if any), and one arrest offense (if any). The characteristic's position in a hierarchy determined which characteristic (for example, which injury) was tabulated. The characteristic with the highest position was chosen.

Listed in order from highest to lowest, the offense location hierarchy is in table 5.2; victim injury hierarchy, table 8.4; offender weapon use hierarchy, table 5.6; and arrest offense hierarchy, table 5.8. The arrestee hierarchy is the same as the victim-to-offender relationship hierarchy described above.

## Federal prosecution of family violence

### About the data in this section

The Federal Government has jurisdiction over violent crimes between family members that occur on Indian reservations, military bases, and other such Federal entities. The victim-offender relationship for these crimes of violence cannot be identified in the automated databases of Federal justice agencies, so that this section has no statistics on them.

The databases of Federal justice agencies do contain identifiable data on two types of "domestic violence," and these two come closest to providing information on family violence cases in the Federal justice system:

1. Interstate travel to commit domestic violence ("interstate domestic violence")
2. Possession of a firearm by a person previously convicted of domestic violence ("firearm-related domestic violence").

This section presents information on the two categories of Federal offenders. Tables 7.1 and 7.2 give statistics on both types. Table 7.3 gives data just on interstate domestic violence because firearm-related domestic violence cases are not identifiable in the data source for this table.

As the term is used in this section, domestic violence includes one form of family violence — spouse violence — and one form of nonfamily violence — intimate partner violence. The statistics are from the Federal Justice Statistics Program (FJSP) and cover the 3-year period from 2000 to 2002.

### How much domestic violence comes to the attention of Federal prosecutors

Over the 3 years from 2000 to 2002 a total of 757 suspects were referred to U.S. attorneys for alleged violations of

Federal domestic violence laws (table 7.1). The 757 represented 4% of the 18,653 Federal suspects referred to U.S. attorneys for alleged violent crimes from 2000 to 2002.

Of the 757, 83.2% (630) were suspected of firearm-related domestic violence. They were suspected of possessing a firearm in violation of Federal statutes that make firearm possession a Federal felony for anyone with a prior misdemeanor conviction for domestic violence.

The remaining 16.8% (127) were suspected of interstate domestic violence: interstate travel to commit domestic violence.

Of the 630 suspects referred to U.S. attorneys for a firearm-related domestic violence offense, 406 were suspected of violating the Federal law that prohib

its firearm possession by someone with a prior misdemeanor domestic violence conviction. The remaining 224 were suspected of violating the law that prohibits firearm possession by someone subject to a protection order.

Of the 127 suspects referred to U.S. attorneys for an interstate domestic violence offense, 99 were investigated for interstate domestic violence/stalking, and 28 for violation of a protective order where interstate travel facilitated the offense.

**Table 7.1. Suspects referred to U.S. attorneys for domestic violence, 2000 to 2002**

Lead charge	Number	Percent
<b>All domestic violence offenses</b>	757	100%
Interstate domestic violence	127	16.8
Firearm-related domestic violence	630	83.2

Source: Executive Office for U.S. Attorneys, central system file, fiscal year.

### Domestic violence under Federal criminal law

#### *Interstate domestic violence offenses*

Domestic violence was made a Federal felony in 1994 with the passage of the Violence Against Women Act or VAWA (Pub. L. No. 103-322). This legislation targeted cases in which an abuser crosses State or tribal lines to violate a protection order or to injure, harass, or intimidate another person.<sup>a</sup> These laws provide recourse for domestic violence cases where movement across State lines makes State prosecution difficult and where State penalties are inadequate. The Violent Crime Against Women Act of 2000 (Pub. L. No. 106-386) amended the VAWA to include cyber-stalking and to remove several obstacles to Federal prosecution.

#### *Firearm-related domestic violence*

The U.S. Congress also amended the Gun Control Act in 1994 and 1996 to prohibit firearm possession by persons with certain histories of domestic violence: firearm possession by a person subject to a protection order or by a person convicted of a misdemeanor domestic violence offense.<sup>b</sup>

<sup>a</sup>Interstate domestic violence offenses include Title 18 U.S.C. § 2261 Interstate travel to commit domestic violence (1994), Title 18 U.S.C. § 2261A Interstate stalking (1996), and Title 18 U.S.C. § 2262 Interstate travel to violate an order of protection (1994).

<sup>b</sup>Firearm-related domestic violence includes Title 18 U.S.C. § 922(g)(8) and (d)(8) Possession/transfer of a firearm while subject to a protection order, and Title 18 U.S.C. § 922(g)(9) and (g)(9) Possession/transfer of a firearm after conviction of a misdemeanor of domestic violence.

## Referring agencies

From 2000 to 2002 the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) accounted for the largest number of domestic violence referrals to U.S. prosecutors: 504. The 504 consisted of 503 firearm-related domestic violence cases plus 1 interstate domestic violence case (table 7.2).

ATF was the referring agency for 79.9% of cases of firearm-related domestic violence but less than 1% of interstate domestic violence cases.

The agency responsible for most of the referrals for interstate domestic violence was the FBI, accounting for 72.4% of the total from 2000 to 2002.

## Federal court outcome

Court outcomes for firearm-related domestic violence cases could not be described from the Federal court data used here. Outcomes could only be documented for the 52 defendants adjudicated in Federal courts between 2000 and 2002, whose most serious adjudicated offense was interstate domestic violence.

Of the 52 defendants, 47 (90.4%) were convicted of interstate domestic violence (not in a table). Of these 47, 37 defendants pleaded guilty (79%), and 10 defendants were convicted at trial (21%). Five cases were dismissed.

**Table 7.2. Suspects referred to U.S. attorneys for interstate domestic violence or firearm-related domestic violence from 2000 to 2002, by investigating agency**

Referring agency	Interstate domestic violence		Firearm-related domestic violence	
	Number	Percent	Number	Percent
<b>All agencies</b>	127	100%	630	100%
Alcohol, Tobacco and Firearms	1	0.8	503	79.9
Federal Bureau of Investigation	92	72.4	19	3.0
Other <sup>a</sup>	34	26.8	108	17.1

<sup>a</sup>Includes joint State and local task forces, Indian Affairs Bureau, and others.  
Source: Executive Office for U.S. Attorneys, central system file, fiscal year.

## Characteristics of Federal defendants convicted of domestic violence

Most of the 47 defendants convicted of interstate domestic violence from 2000 to 2002 were U.S. citizens (95%), had a prior adult conviction (80%), were male (96%), between ages 31 and 40 (46%), white (72%), and non-Hispanic (95%) (table 7.3).

## Court sentence

Between 2000 and 2002, 43 of the 47 (91%) defendants convicted of interstate domestic violence received a prison sentence (not in a table). The mean prison term imposed was 7.5 years (the median prison term imposed: 5 years). Prison terms ranged from 1 to 25 years, largely depending on the level of harm inflicted on the victim. Three defendants received probation (5 years each of probation supervision).

**Table 7.3. Characteristics of persons convicted in Federal court for interstate domestic violence from 2000 to 2002**

Defendant characteristic	Number	Percent
<b>Total</b>	47	100%
<b>Citizenship</b>		
U.S. citizen	41	95.3%
Non-U.S. citizen	2	4.7
<b>Criminal record</b>		
Prior adult convictions	37	80.4%
No convictions	9	19.6
<b>Gender</b>		
Male	42	95.5%
Female	2	4.5
<b>Age</b>		
21 - 30	10	21.7%
31 - 40	21	45.6
41 or older	15	32.6
<b>Race</b>		
White	31	72.1%
Black	10	23.3
American Indian	2	4.6
<b>Hispanic origin</b>		
Hispanic	3	4.6%
Non-Hispanic	41	95.4

Note: These Federal domestic violence cases are identified as Title 18 U.S.C. §§ 2261, 2261A, 2262. Of the 47 cases in which a defendant was convicted of interstate domestic violence as the most serious terminating offense, defendant citizenship status was reported for 91.5%; criminal record for 97.9%; gender for 93.6%; age for 97.9%; race for 91.5%; and Hispanic origin for 93.6%. Source: Administrative Office of the U.S. Courts, criminal master file, fiscal year.

## Methodology

### Reported and unreported family violence

Statistics comparing reported and unreported nonfatal family violence to reported and unreported nonfatal nonfamily violence come from the Bureau of Justice Statistics (BJS) National Crime Victimization Survey (NCVS) for 1998 to 2002. The statistics are based on data gathered from residents living throughout the United States, including persons living in group quarters, such as dormitories, rooming houses, and religious group dwellings. Crew members of merchant vessels, Armed Forces personnel living in military barracks, and institutionalized persons, such as correctional facility inmates, were not included in the scope of this survey. Similarly, U.S. citizens residing abroad and foreign visitors to this country were excluded. With these exceptions, individuals age 12 or older living in units selected for the sample were eligible to be interviewed.

In addition to single incidents of criminal victimization, the NCVS records data on series victimizations. A series victimization is defined as six or more similar but separate crimes which the victim is unable to recall individually or describe in detail to an interviewer. Survey respondents who indicated they were series victims were asked to provide details for the most recent incident. In annual BJS reports on the NCVS, series victimizations are excluded from the published victimization estimates. However, because repeat victimization is an important aspect of family violence, series crimes were included in these analyses, counted as "1" victimization to represent all the incidents in the series.

NCVS data in this section are based on a nationally representative sample of the general population age 12 or older who experienced a violent victimization that occurred between January 1998

and December 2002. Data were aggregated over this 5-year period to obtain sample sizes large enough to detect differences between family and nonfamily violence victims, as well as to detect differences between family and nonfamily violent crimes based on the characteristics of the incident.

Additional information on weighting, along with other methodological details, can be found in the BJS Internet-only report *Criminal Victimization in the United States — Statistical Tables, 2002* (NCJ 200561).

### Fatal family violence

To compare family murder to nonfamily murder, this report uses data from the FBI's 2002 Supplementary Homicide Reports (SHR). Murder as defined here includes murder and nonnegligent manslaughter which is the willful killing of one human being by another. Not included in the analyses are deaths caused by negligence, suicide, or accident; justifiable homicides; and attempts to murder.

SHR data are based solely on police investigation. Not all law enforcement agencies which report offense information to the FBI also submit supplemental data on murder. At the time of analysis, the most recent SHR data contained information on 12,940 of the 16,204 murders reported in the FBI's Uniform Crime Report. To account for the total number of homicides, the SHR data were weighted to match national and State murder estimates prepared by the FBI. All victim-based analyses are adjusted in this manner.

While many law enforcement agencies report supplemental data on murder, one reason why much of the data concerning victim-offender relationship may not be reported is because no suspects were identified. In 2002, SHR data recorded information on the

relationship of the victim to the offender for 56.2% (9,102) of the 16,204 murders committed that year.

The dataset utilized in this report was compiled by James Alan Fox, the Lipman Family Professor of Criminal Justice at Northeastern University. The dataset, along with additional details about imputation and estimation procedures, is available from the National Archive of Criminal Justice Data <<http://www.icpsr.umich.edu/NACJD>>, please refer to ICPSR 4179. After the analysis for this report was completed, the SHR database was updated to include information on an additional 2,117 murders, bringing the total number of murders included in the database to 15,057 of the 16,204 murders in the United States in 2002.

### Family violence recorded by police

To compare family violence recorded by police to nonfamily violence recorded by police, this report utilizes official police statistics reported to the Federal Bureau of Investigation (FBI) in 2000. Law enforcement agencies can report official police statistics to the FBI's Uniform Crime Reporting System in one of two ways:

1. the Summary reporting system
2. the Incident-based reporting system (NIBRS).

Under the Summary system, law enforcement authorities aggregate the number of incidents by offense type and report these totals to the FBI on a monthly basis. Under the NIBRS system, agencies provide an individual record for each reported crime, including detailed information regarding the victim(s) and offender(s) involved, characteristics of the incident, and information on any arrests made in connection with the incident. In this regard, NIBRS represents a more comprehensive and detailed crime reporting

system, with the ability to capture a wide range of information on specific incidents.

To compare the characteristics of family violence to nonfamily violence, only cases with incident dates during calendar year 2000 were included in the analysis. In addition, only incidents from law enforcement agencies officially certified by the FBI to report NIBRS data were included. Currently, no agencies serving jurisdictions with populations of one million or more are certified to report NIBRS data. In 2000, agencies from 18 States and the District of Columbia submitted NIBRS data, representing 16% of the U.S. population and 13% of crime.

Additional methodological details can be found on the BJS website <<http://www.ojp.usdoj.gov/bjs/nibrs.htm>>, as well as at the Incident-Based Reporting Resource Center <<http://www.jrsa.org/ibrrc>>.

### State prosecution of family assault

To compare the prosecution of family and nonfamily violence defendants, this report uses data from the BJS data collection State Court Processing Statistics (SCPS). The most recent SCPS study collected data for 14,877 felony cases filed during May 2000 in 40 large counties selected to represent the estimated 54,590 felonies filed in the Nation's 75 most populous counties during that month. Results of that study and information regarding sampling and other methodological details are available in the BJS publication *Felony Defendants in Large Urban Counties, 2000*, NCJ 202021, December 2003.

Data from all 40 counties were not used to compare the case processing of family violence to nonfamily violence. Since assault was the only crime in the

**Table 10.1. Felony assault cases in the State courts of 11 counties during May 2000, by county and type of assault**

County (State)	Unweighted		Weighted	
	Family	Nonfamily	Family	Nonfamily
Contra Costa (CA)	19	26	19	26
Los Angeles (CA)	30	66	120	264
Riverside (CA)	60	36	120	72
San Bernardino (CA)	27	33	54	66
Santa Clara (CA)	19	24	38	48
Pinellas (FL)	15	53	30	106
Essex (NJ)	15	72	30	144
Franklin (OH)	7	9	14	18
Harris (TX)	9	39	36	156
Tarrant (TX)	8	38	16	76
Travis (TX)	8	24	16	48
<b>Total defendants</b>	217	420	493	1,024

Source: BJS, 2000 State Court Processing Statistics.

2000 SCPS data to have specific statutes that identified family violence, other violent crimes (such as murder, rape, or robbery) were excluded from the analysis. To be in this study, a county also had to meet two criteria:

1. The county had an estimated 10 or more assault defendants charged under a family or domestic violence statute (table 10.1).
2. The county had at least 17% of its assault defendants charged with committing family or domestic violence.

A total of 11 counties met the selection criteria. For instance, Travis County, Texas, had an estimated 16 family violence cases which accounted for 25% of the 64 assault cases filed in that county during May 2000. Within the selected counties, a sample of 637 cases was statistically weighted to represent 1,517 family and nonfamily assault defendants. Although the estimated 1,517 cases were less than 3% of the 54,428 felony cases filed in the Nation's 75 largest counties in May 2000, demographic characteristics of both cohorts were similar (table 10.2).

Where family assault defendants were compared to nonfamily assault defendants in this section, sampling error was

**Table 10.2. Demographic distribution of felony defendants in the 11-county study compared to the Nation's 75 largest counties, 2000**

Defendant characteristic	Felony defendants in State courts during May 2000	
	Assault cases in 11 counties	All cases in the 75 largest counties
<b>Total</b>	100%	100%
<b>Gender</b>		
Male	84.7%	81.0%
Female	15.3	19.0
<b>Race/Hispanic origin</b>		
White	26.2%	29.6%
Black	39.2	45.4
Hispanic	32.6	22.7
Other	2.0	2.4
<b>Age at arrest</b>		
Under 18	1.6%	2.9%
18 - 24	30.7	30.8
25 - 34	31.5	30.9
35 - 54	32.8	33.2
55 or older	3.4	2.1
<b>Total defendants</b>	1,517	54,428*

\*Excludes 162 weighted cases for which the arrest charge could not be classified.  
Source: BJS, 2000 State Court Processing Statistics.

taken into account. All differences discussed were statistically significant at the .05 level.

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### **Federal prosecution of domestic violence**

The source of data for statistics on Federal prosecution of domestic violence is the BJS Federal Justice Statistics Program database covering the years 2000 to 2002. The database is presently constructed from source files provided by the U.S. Marshals Service, the Drug Enforcement Administration, the Executive Office for U.S. Attorneys, the Administrative Office of the U.S. Courts, the United States Sentencing Commission, and the U.S. Bureau of Prisons. A description of the source agency data files, along with other methodological details, can be found in the methodology section in the BJS Internet-only document *Compendium of Federal Justice Statistics, 2002* (NCJ 205368).

### **Family violence offenders in prison**

Information about offenders in prison for family violence were obtained from BJS's 1997 Survey of Inmates in State and Federal Correctional Facilities. From June through October, 1997, a nationally representative sample of inmates in State prisons were interviewed about their current offense and sentences, criminal histories, family and personal backgrounds, gun possession and use, prior drug and alcohol use and treatment, educational programs, and other services provided while in prison.

Data and documentation with additional details are available from the National Archive of Criminal Justice Data <<http://www.icpsr.umich.edu/NACJD>>. Please refer to ICPSR 2598.

### **Family violence offenders in jail**

The 2002 Survey of Inmates in Local Jails provides nationally representative data on persons held in local jails including those held prior to trial and convicted offenders serving sentences in local jails or awaiting transfer to prison. Data in the survey include the individual characteristics of jail inmates; current offenses, sentences and time served; criminal histories; jail activities, conditions and programs; prior drug and alcohol use and treatment; and health care services provided while in jail. In the last Survey, completed in 1996, a representative sample of 6,000 inmates were interviewed. The sample for the 2002 survey was selected from 3,365 jails housing 558,017 males and 73,224 females. The dataset and documentation with additional details about the survey will be available from the National Archive of Criminal Justice Data <<http://www.icpsr.umich.edu/NACJD>>.

## Appendix

### Discrepant findings from two different ways of measuring family violence

The extent of family violence in the United States is measured two different ways in this report. One way — through the National Crime Victimization Survey (NCVS) — is based on survey interviews with samples of the U.S. population. The other way — through the FBI's National Incident-Based Reporting System (NIBRS) — is based on statistics compiled by police.

NCVS data summarized in this report indicated that family violence makes up 11% of all violence (both reported to police and unreported) (table 2.1), but police statistics summarized in this report indicated that family violence makes up nearly 33% of all police-recorded violence (table 5.1). No firm explanation for this apparent discrepancy is offered in the report. Presumably the discrepancy is caused by a host of factors. The discussion that follows identifies some of them, not necessarily the most important ones.

One factor pertains to the willingness of victims (and others) to report crime to police. If family violence is more likely than nonfamily violence to be reported to law enforcement authorities, the family violence percentage in police statistics will tend to be larger than the percentage in the statistics for all violence (reported and unreported). To check that possibility, reporting rates for family and nonfamily violence were compared. Results indicated that family violence (59%) is more likely than nonfamily violence (46%) to be reported to police (table 4.1). While the difference is not large enough to fully account for the 11%-versus-33% discrepancy between NCVS and police statistics, results do suggest that a difference in reporting between family and nonfamily violence is a contributing factor.

A second factor pertains to the fact that the police statistics on family violence used here are not directly comparable to the NCVS statistics in terms of geographical coverage. That is, the police statistics are based on data from agencies reporting in 18 States and the District of Columbia, while the NCVS statistics are for the entire United States. If the family violence percentage in the 18 States and the District of Columbia happens to be much larger than other States, using these jurisdictions to compare to the NCVS will create the appearance of a greater discrepancy than may actually exist.

A third factor pertains to the handling of "series" victimizations in the analysis of the NCVS data. The 11% family violence percentage from NCVS data was based on an analysis that treated each "series" victimization (6 or more crimes of a similar nature that the victim is unable to recall individually) as a single victimization. Since family violence series victimizations comprised 17% (rather than 11%) of all violent series victimizations, treating each series victimization as 6 or more victimizations (rather than 1) would tend to raise the family violence percentage above 11%. To illustrate, when the family violence percentage was re-computed, this time treating each series using the actual number of incidents (up to 20) indicated by the victim, the percentage rose to 12.5%.

A fourth factor pertains to the possibility that the NCVS undercounts family violence to a greater extent than nonfamily violence. If so, that would make the family violence percentage look lower than it actually is. The little research on the undercount that has been done — notably, a small study of assault victims whose victimization was reported to police in San Jose, California, and a national study of victims who went to hospital emergency rooms for their injuries — compared undercounts

between family and nonfamily violence. Findings from both studies suggest that the NCVS undercounts family violence to a greater extent than nonfamily violence. The two studies are summarized below.

#### *San Jose study of known assault victims*

In January 1971, a sample of victims of assault was drawn from the records of the San Jose Police Department. These known victims were interviewed and asked whether they had been a victim of crime at any time in 1970. The victims and their interviewers were not told that the researchers wanted to determine to what extent known assault victims tell interviewers about recent victimizations.

Results suggested that family assault victims were less likely than nonfamily assault victims to tell interviewers about their victimization (table 11.1). While 78% of 18 family assault victims did not mention being a victim of family violence, the comparable percentage for 62 nonfamily assault victims was lower: 29%.

**Table 11.1. Among known assault victims, percent who told NCVS interviewers about the victimization**

Relationship of victim to offender	Known assault victims who did not tell NCVS interviewers about their victimization
Family violence	78%
Nonfamily violence	29

Source: Adapted from U.S. Department of Justice, Law Enforcement Assistance Administration (1972). *San Jose Methods Test of Known Crime Victims*, Statistics Technical Report No. 1. Washington, DC: USGPO, June.

The original purpose of the San Jose study was to determine the effects of the passage of time on the recall of criminal victimizations. The survey design emphasized overall reporting issues, not the specific reporting of family violence. Hence, one limitation of the study is the small sample size. Of 126 sampled victims of assault, 18 family assault victims and 62 nonfamily assault victims were located and agreed to participate, a 63.5% response rate.

Another limitation pertains to the fact that the questionnaire used in the study was more similar to the pre-1993 NCVS questionnaire than the one in use today. Consequently, the San Jose study results may be more relevant to the pre-1993 version than today's questionnaire.

The pre-1993 version was replaced with one that was specifically designed to reduce undercounting of family (and domestic) violence. There is some evidence that the redesign may have succeeded in reducing the undercount. In 1991 (the last full year of interviews using the old questionnaire), family violence victims made up 7.3% of all violence victims (8% if series victimizations totaling 3 are counted as 3 crimes rather than 1; 4 counted as 4; and 5 counted as 5). In 1993 (the first full year using the redesigned questionnaire), the percentage was 10.2%.

#### *Hospital emergency room study*

While results of the San Jose study only shed light on the extent to which police-reported family violence (family violence that was brought to police attention) is mentioned in NCVS interviews, results of another study may shed light on the extent to which victims tell interviewers about both reported and unreported

**Table 11.2. Comparison of the Study of Injured Victims of Violence (SIVV) and the National Crime Victimization Survey (NCVS), by offense and by relationship, 1994**

Type of offense	SIVV-recorded admissions to hospital emergency rooms in 1994*		NCVS-estimated admissions to hospital emergency rooms in 1994		Ratio of SIVV/NCVS
	Number	Percent	Number	Percent	
Total	954,000	100%	504,700	100%	1.9
Family violence	179,000	18.8	33,300	6.6	5.4
Nonfamily violence	775,000	81.2	471,400	93.4	1.6

\*Age 12 or older

Source: Adapted from BJS, *Violence-Related Injuries Treated in Hospital Emergency Departments*, NCJ 156921, August 1997.

family violence of a particularly serious nature. In this other study, two national numbers were compared:

1. from the NCVS, the total (reported and unreported) estimated number of family violence victims who said they went to a hospital emergency room for treatment for their injuries in 1994
2. from a national survey — the Study of Injured Victims of Violence (SIVV) — the total (reported and unreported, presumably) estimated number of family violence victims whose injuries brought them to hospital emergency rooms for treatment in 1994.

All other things being equal, the two numbers should be the same if injured family violence victims tell NCVS interviewers about any incidents that lead to emergency room treatment.

In fact, SIVV recorded far more emergency room admissions in 1994 than the NCVS, suggesting that the NCVS undercounts victims of serious family violence. The SIVV number of emergency room admissions for family violence (179,000) was found to be over 5 times the number recorded by the NCVS (33,300) (table 11.2). By comparison, the SIVV number of emergency room admissions for nonfamily violence (775,000) was 1.6 times greater than the NCVS-estimate (471,400), suggesting that the NCVS

undercounts particularly serious types of family violence to a greater extent than nonfamily violence.

The relevance of the SIVV study is limited by the fact that its findings pertain to victims who were injured and went to an emergency room. Such victims are a small percentage of all family violence victims. Furthermore, the statistics for the NCVS-documented victims of family violence (who went to emergency rooms) may be unreliable because they are based on a small sample. Also, the SIVV study did not document how many victims had, and how many had not, reported the crime to police. Presumably, the SIVV study included some of both.