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Elizabeth Schneider spoke of the way specialization in the domestic violence field has blurred the larger picture of women's social, economic, and political rights. I will focus on a related problem. As we move to make domestic violence a public problem, we encounter preexisting public institutions that operate as agents of social control for women.

Domestic violence is understood as a public problem in the context of the criminal justice system, the welfare system, and the child protection system, all agents of social control. My work looks at the impact of domestic violence, law reform, and policy reform on women who are marginalized because of their race or their socioeconomic or immigrant status. Domestic violence policies such as mandatory arrest and no-drop prosecution are particularly problematic for such women because they increase the risk of state control.⁵ We must add to that the practices of the criminal justice system that evolve from those policies and that create and reinforce the conception of battered women as unable or unwilling to act in their own best interests. The conception of battered women among the police and in other institutions of social control, such as welfare and child welfare, sometimes reinforces preexisting racist, classist, and sexist conceptions of poor mothers.

How do criminalizing policies, particularly mandatory arrest and no-drop prosecution, increase state control of poor women, immigrant women, and women of color? We know that when these policies are enacted, an increased number of women are arrested. We know that a primary aggressor requirement brings those numbers down somewhat but that the number of women who get arrested remains elevated. We know that conviction carries some very serious consequences, the least of which are the criminal punishments. The more significant consequences are those that have to do with child protection and the possibility of los-

ing one's children. Arrest alone, which is far more likely than arrest and conviction, brings about a number of serious collateral risks. Some police departments are required to call Child Protection Services whenever they find probable cause that domestic violence has occurred. Child Protection Services will also be called if there is a mandatory arrest policy and the mother is arrested.

The other collateral risks result from the woman's continuing involvement with the criminal justice system. Women who are in battering relationships are more vulnerable to drug and alcohol addiction, and drug addiction leads to criminal activity even if it is only possession. Women who are addicted to drugs are also more vulnerable to battering. In addition, battering sometimes has a relationship to prostitution. One of the things that battering men do is force their partners to engage in prostitution. Some women engage in prostitution and sell drugs as a way of getting money that they can hide from the batterer. Some women in battering relationships are particularly vulnerable because of their own criminal activity. A public defender told me about victims coming to him in domestic violence misdemeanor cases and begging him to help them get the charges dropped out of concern that their own criminal activity would be exposed.

Even if we thought mandatory arrest was a good thing, making criminalization policies the focus of our response to domestic violence ought to give us some concern. There is a significant emphasis on crime control in federal funding to deal with violence against women. While some funds go directly to services for victims, by and large these funds are available only for those victims who are working with prosecutors. Crime control responses to domestic violence not only take substantial federal resources but, increasingly, require a great deal of the human capital of the movement as well.

Again, the implementation of these mandatory criminal justice policies reinforces the dangerous idea that battered women are unable to act in their own best interests. I was recently involved in doing VAWA grant reviews. A police officer and I were looking at programs for campus responses to violence. One of the programs would have instituted a kind of no-drop policy on campus. The officer said, "Well, you know, you must have a no-drop policy in domestic violence cases because otherwise nothing would happen." That conception, that "nothing would happen," that battered women are *by definition* simply unable to do anything in their own behalf, is pervasive. In the recent New York class action case on behalf of battered women whose children were removed because they resided in a

home in which domestic violence occurred, the social workers involved assumed that once a woman is hit she is a “battered woman,” and as a “battered woman,” she is unable or unwilling to protect herself.⁶ Failure to separate from the batterer is evidence that she is unwilling to protect her children, and thus should be separated from them.

There is an unprecedented amount of money flowing from the federal government for work on domestic violence. One thing we can do to direct that money towards women’s needs is to institute a material resources test. We can begin to push for a requirement that every time federal dollars are going to be spent on domestic violence, every time a law is going to be enacted, every time a policy is being considered, it must be examined to see whether it will put material resources into the hands of battered women. Material resources can be indirect, like education, or direct, as in a cash payment.

The application of a material resources test would, of course, put more resources into the hands of women. Data suggest that inadequate resources leave battered women more vulnerable to violence by making it much harder for them to negotiate safety or try to escape. Research by Chris Sullivan and Deborah Bybee found that when women are given resources, they experience less repeat violence.⁷ Women who are given resources experience less violence even when the sample is controlled for the variable of whether or not they continue to live with the man who abused them.

A material resources test would help low-income women, particularly those of color, and correct for the great inattention paid to the particular status of poor women in general and poor women of color in particular. It would also recognize that poverty is not experienced the same way across racial lines. The experience of poverty for urban African-American women, for example, is qualitatively different from the experience of poverty for many white urban women. Poor African-American women in urban areas are much more likely to live in neighborhoods that have higher overall poverty rates. The experience of battering differs there both because of the failure of institutions to address the needs of women of color and because of the lack of resources that exist in those largely racially defined neighborhoods. Therefore, we should make the circumstances of poor women and particularly poor women of color the test for whether a policy, law, or funding decision will enhance women’s access to material resources. A material resources test of this nature allows us to focus on empowering women rather than continuing to increase state intervention in ways that often do not benefit poor women and poor women of color.