

# Women's rights violations inside America

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## ***UN expert examines violence against females in the U.S., gov't response***

(FinalCall.com) - Robin Levi has a simple point of view when it comes to violence against women in the United States and what the government should be doing to stop abuses. "What's really important is reminding ourselves the United States is not immune from human rights law," said the human rights director of San Francisco Bay area-based Justice Now.

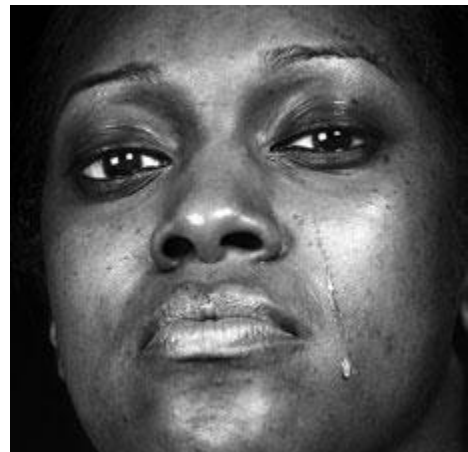
"Human rights law applies to everybody from the virtue of being human beings and that includes people in the United States and people in prison," she said.

Though America regularly lectures other nations about women's rights and gender equality, activists and advocates say the U.S. has its own problems when it comes to women who are incarcerated and who find themselves in other vulnerable situations.

When a United Nations expert recently visited America to examine the status of women and violence, Ms. Levi, who works to end violence against women and stop their imprisonment, helped to coordinate the UN special rapporteur's visit to California.

Rashida Manjoo, who is examining the causes and consequences of violence against women for the United Nations, went on a two week tour in California as part of a six-state tour designed to gather facts and testimony about the problem.

Ms. Manjoo began her tour of detention centers and battered women's shelters Jan. 23 and will report her findings and recommendations to a special session of the U.N. Human Rights Council on Feb. 7.



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The tour is a reminder that America is part of the international community and that it has to live up to its human rights obligations for everybody within its borders, Ms. Levi told *The Final Call*.

According to Ms. Levi, the current U.N. mission stems in part from a 1999 visit by then U.N. Special Rapporteur on violence against women Radhika Coomaraswam.

Ms. Coomaraswam specifically looked at violence against women in prison, and Ms. Manjoo is here to see if changes and recommendations made a decade ago have occurred or not, Ms. Levi said.

The rapporteur found in 1999 that California (which had at the time the largest number of women incarcerated within the U.S.) had inadequate administrative or penal protections against sexual misconduct in custody. There was no comprehensive method for reporting or investigating allegations of sexual abuse in the state's facilities, and sexual misconduct became criminalized only in 1994.

Part of Ms. Coomaraswam's recommendation was that federal funding for state and correctional facilities should require that states criminalize all forms of sexual violence and misconduct between staff and inmates—whether consent was given by the inmate or not.

Ms. Levi said that what Ms. Manjoo could expect to find, certainly in California, is that sexual abuse has decreased somewhat but racial disparities within prisons remain and have perhaps worsened.

In fact, she said, although the rapporteur in 1999 expected to find racial disparities in the make-up of women in prison, she was shocked at the overwhelming levels of racial disparity.

According to Human Rights Watch, 2.3 million people were incarcerated in the United States as of June 2009, with racial and ethnic minorities disproportionately represented.

A prison research and advocacy reform organization, The Sentencing Project, says Black women represent 30 percent of all women jailed in federal or state institutions and Hispanic women represent 16 percent.

"I think that she's going to find that the health problems are still there and perhaps worse. I'm hoping she'll look into some of the reproductive abuses that we've seen inside the California prison system in which primarily women of color have experienced increased levels of sterilization through hysterectomies, ovariectomies and other methods," Ms. Levi said.

Ms. Manjoo, a professor at the Department of Public Law at the University of Cape Town, South Africa, is particularly probing violence against women in prison and the military, sexual violence, gun violence, and the relationship between poverty and violence against women.

### **Visit coincides with federal legislation**

"What we know is that domestic violence is the primary cause of homelessness for women and their children in the U.S. ... In some cases women who are in abusive relationships need to be able to flee their home but if they don't have the option to go to a shelter or if they don't have another housing option, they may be forced to stay in abusive relationships," said Attorney Sandra Park, of the ACLU's Women's Rights Project.

“Unless we look at how violence affects poor women, we are not addressing the issue at all,” Atty. Park told *The Final Call*.

Ms. Manjoo's visit is also critical because this year Congress will consider reauthorization of the Federal Violence Against Women Act, Ms. Park said.

The act was proposed in 2005 to help provide funding for domestic violence programs across the U.S., and provide protection against evictions of women after they were victimized.

The ACLU was instrumental in linking Ms. Manjoo to groups and individuals to make sure she received firsthand information about issues of violence plaguing American women.

Some landlords use “no criminal activity” provisions in their leases to evict women who have had to call police for domestic violence incidents.

Some workplaces penalize women who need time off for court appearances, or are being stalked by their abusers at work, Atty. Park continued.

Some companies have tried to improve on the issues and have adopted good policies such as informing security of an abuser's characteristics, changing employee phone numbers, or providing victims with escorts to their cars, she said.

Atty. Park hoped Ms. Manjoo's visit to New York to meet with the Service Women's Action Network about sexual assault in the military would raise awareness about how the U.S. military and Veterans Affairs Department largely ignore complaints.

According to Atty. Park, sexual assault and rapes in the military are extremely high and there are very few options for service members to pursue, except to report to their chain of command superiors.

There is no incentive for commanders to address complaints in serious ways because complaints reflect negatively on performance evaluations if commanders have reports of sexual assault within their units, she said.

“It's actually set up in a way that creates an incentive to try to squash those complaints or make them go away ... generally the military is treated differently from all other workplaces in the U.S. So the kinds of rights that a woman might have if she was sexually assaulted at work are totally inapplicable if you're a member of the military,” Atty. Park said.