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Contact: Amanda Ehrhardt  
E-mail: [aehrhadt@abfn.org](mailto:aehrhadt@abfn.org)  
Phone: 312.988.6517  
Fax: 312.988.6519  
Online: [www.americanbarfoundation.org](http://www.americanbarfoundation.org)  
Twitter: @LSI\_Journal

**NEW STUDY REVEALS “NUISANCE PROPERTY” LAWS DESIGNED TO HELP BATTERED  
WOMEN ACTUALLY DO HARM**

Chicago, IL – 8/5/15 – A new research study published in [Law and Social Inquiry, Journal of the American Bar Foundation, \(Forthcoming in Volume 40 No. 4, 2015\) Silencing Women’s Voices: Nuisance Property Laws and Battered Women,](#) by Gretchen Arnold and Megan Slusser, reveals how public nuisance ordinance reforms in St. Louis, Missouri, intended to help victims of domestic violence actually create additional hardships for domestic violence victims, many of whom are women.

Public nuisance laws fine property owners for repeated 911 calls to their properties. By enforcing these laws in 911 domestic violence calls, St. Louis police believe they have found a way to better protect battered women. Police in St. Louis and in other jurisdictions view public nuisance law enforcement as a way to steer battered women toward community support services while holding landlords accountable for addressing the abuse. The study finds, however, that domestic violence victims’ advocates are at odds with law enforcement officials and see the public nuisance policy as undermining victims’ access to safe housing, discouraging them from calling 911 for protection, and creating new legal burdens that hold victims accountable for the abuse.

“The harm this law inflicts on battered women is happening below the radar of law enforcement, and often leaves women homeless and without police protection from the abuse,” the researchers claim.

The study uses data drawn from interviews conducted from 2010-2012 with victim’s advocates, housing attorneys, municipal prosecutors, police officers, neighborhood stabilization officers, and a St. Louis city alderman. Arnold and Slusser also attended meetings with law enforcement personnel and domestic violence advocates regarding public nuisance laws and researched official documents about nuisance law enforcement. The authors asked individuals about their personal history with nuisance property laws, what effects they felt the laws had on domestic violence victims, and whether or not they would change anything about the law or how it is enforced.

What Arnold and Slusser found was that law enforcement and advocacy groups had opposing views about the success of public nuisance property laws in addressing domestic violence problems. Law enforcement personnel noted that the law made it illegal for landlords to evict domestic violence victims because of nuisance problems, but advocates countered that victims were often informally forced to move out for “creating a nuisance” and not given any information about their tenants’ rights or ways to have a say in the enforcement process. Law enforcement officials stated that being able to apprehend abusers through 911 nuisance calls gave them greater ability to protect victims, but advocacy groups claimed that victims were afraid of being penalized for calling 911 too often and that abusers actually took advantage of this situation. Police and prosecutors, Arnold and Slusser claim, believe that when 911 calls from an address

where domestic violence has occurred stop, that means that the domestic violence has stopped, whereas advocates fear that a victim is afraid to call 911 and continues to suffer abuse. Finally, advocates contend that the common practice of landlords to try to get victims to pay fines resulting from nuisance property laws places legal burdens on victims with limited access to legal representation. The result is that these seemingly gender-neutral nuisance property laws end up hurting victims of domestic violence, especially women.

The researchers reported that even though nuisance laws are supposed to hold batterers accountable, more often a battered woman is expected to do something (such as get an Order of Protection or move) in order to stop the abuser's behavior from reoccurring at that property. According to one advocate, many battered women were frustrated. "They feel like it [the nuisance property law] is an attack on them...It's one more thing that they're being blamed for. You know, I would always hear them say, 'This is *him*. Why isn't *he* going through this? Why isn't *he* dealing with this?'"

The findings in "Silencing Women's Voices" show how law enforcement and victim advocacy groups' different approaches toward helping victims of domestic violence determine how each views the success of nuisance property laws. Arnold and Slusser theorize that law enforcement's focus on stopping the "nuisance" 911 calls marginalizes women's voices and experiences during the enforcement process, while advocates' casework gives them information from the women themselves about the harmful effects of nuisance property laws.

## About the Authors

[Gretchen Arnold](#) is Assistant Professor of Women's and Gender Studies at Saint Louis University. Her research interests focus on social movements and women's issues, and her work has appeared in such journals as *Social Movement Studies* and *Violence against Women*.

Megan Slusser, MSW, LCSW, is the Support Services Manager at Safe Connections, a St. Louis, Missouri domestic and sexual violence prevention organization. She oversees therapeutic programming and also has experience as a victim advocate for abused women.

**For more information on the study or the dataset, contact Gretchen Arnold at [arnoldgw@slu.edu](mailto:arnoldgw@slu.edu).**

## About *Law & Social Inquiry*

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