

## STATUTORY DEFINITIONS

### **Tennessee defines “abuse” and “domestic abuse victim” as follows:**

**Abuse Victim (T.C.A. § 36-3-601(1)):** means inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means, placing an adult or minor in fear of physical harm, physical restraint, malicious damage to the personal property of the abused party, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by an adult or minor, or placing an adult or minor in fear of physical harm to any animal owned, possessed, leased, kept, or held by the adult or minor.

**Domestic Abuse Victim (T.C.A. § 36-3-601(5)):** means any person who falls within the following categories who is a victim of abuse:

- (A) Adults or minors who are current or former spouses;
- (B) Adults or minors who live together or who have lived together;
- (C) Adults or minors who are dating or who have dated or who have or had a sexual relationship, [as used herein “dating” and “dated” do not include fraternization between two (2) individuals in a business or social context;
- (D) Adults or minors related by blood or adoption;
- (E) Adults or minors who are related or were formerly related by marriage; or
- (F) Adult or minor children of a person in a relationship that is described in subdivisions (A)-(E).

### **Domestic violence and Domestic Violence Behaviors:**

**Domestic Violence:** describes a pattern of abuse and coercive behaviors, including physical, sexual, and psychological abuse as well as economic coercion used against an intimate partner. Domestic violence involves the use of a combination of tactics aimed at establishing control of one partner over the other.

These behaviors may include, but are not limited to, physical, sexual and psychological abuse as well as economic coercion used against an intimate partner. Often times a person may not be aware that there is abuse/violence in the relationship. The most prominent domestic abuse behavior is physical violence, but there other behaviors that constitute domestic violence, and they may or may not be criminal:

**Emotional abuse:** verbal assaults, name calling, criticism, blaming.

**Intimidation:** scaring a person by frightening looks, gestures, and body language

**Using Coercion/Threats:** verbal threats to hurt, leave, hurt/take children, commit suicide or homicide, making a person do illegal things.

<b>Isolation:</b>	Controlling what a partner does, who goes, who the partner sees and talks to; limiting outside involvement, using jealousy as an excuse to justify isolation.
<b>Using Children:</b>	making a partner feel guilty about children; using children to relay messages; using visits to harass the partner; threats to take children away if child support is sought.
<b>Economic Abuse:</b>	taking all money; giving an allowance; preventing the partner from getting a job; making a partner ask for money; not letting the partner know about or have access to family income.
<b>Using Male Privilege:</b>	treating partner like a servant; acting like “master of the castle;” defining male and female roles; making all the big decisions.
<b>Minimizing, Denying, and Blaming:</b>	making light of the abuse and taking the partner’s concerns seriously; saying the abuse did not happen; shifting responsibility for the abuse; saying the partner caused it.
<b>Physical and Sexual Abuse:</b>	hitting, slapping, punching, beating, choking, forcing a partner to do sexual things he/she does not want to do; having sex after a beating; marital rape; affairs with others.

### **Criminal Acts Involving Domestic Violence:**

**Domestic Assault (T.C.A. 39-13-111(A)(1-6)): is an assault against a domestic abuse victim who falls within the following categories:**

- (1) Adults or minors who are current or former spouses;
- (2) Adults or minors who live together or who have lived together;
- (3) Adults or minors who are dating or who have dated or who have or had a sexual relationship, [as used herein “dating” and “dated” do not include fraternization between two (2) individuals in a business or social context;
- (4) Adults or minors related by blood or adoption;
- (5) Adults or minors who are related or were formerly related by marriage; or
- (6) Adult or minor children of a person in a relationship that is described in subdivisions (1)-(5).

**Tennessee and federal Law categorize any crime in which the victim and the defendant are/were in a relationship defined in T.C.A. 36-3-601(5) as a crime of domestic violence.**