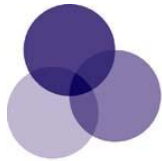


U.S. Approaches to Supporting Survivors of Gender Based Violence: A Regional Project for Africa

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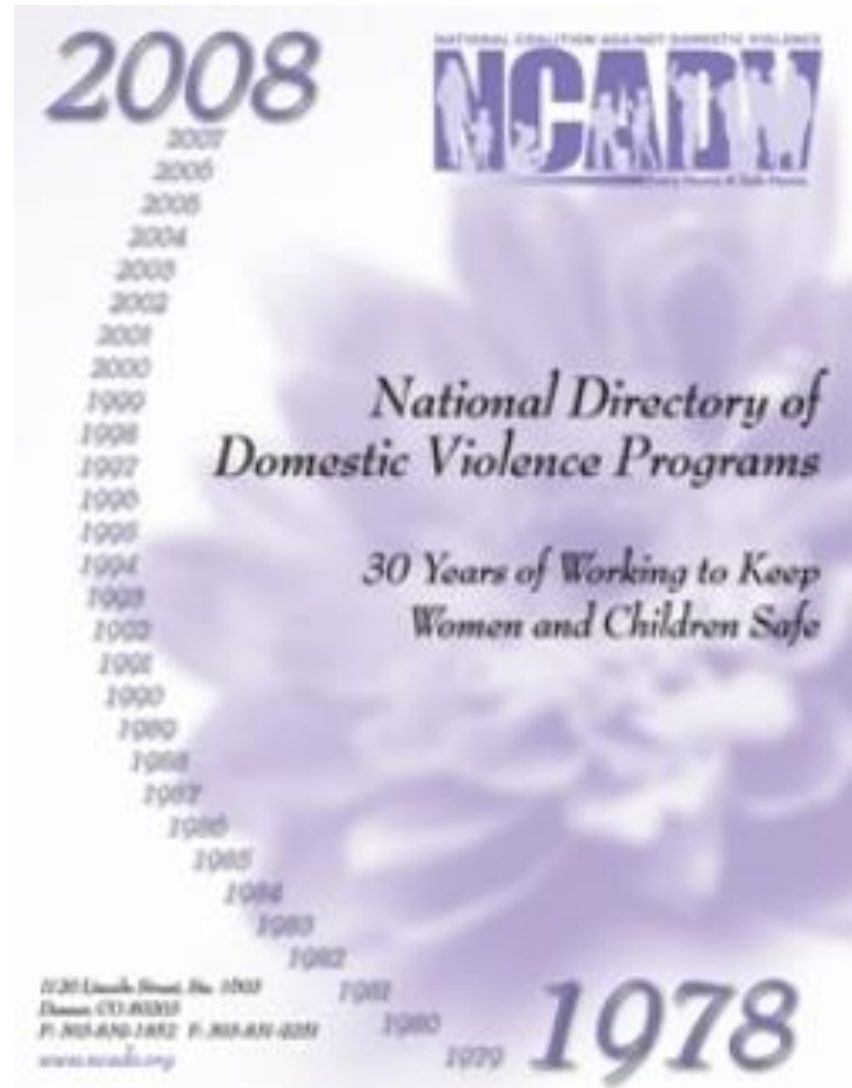
We've Come a Long Way!

- ▶ **40 years ago violence against women was defined as a distinct form of misogyny.**
 - **Anti-violence movement grew out of women's movement with goal to protect women and children from the unacceptable aspects of tradition resulting in harm physically, mentally, emotionally**
- ▶ **1970's women speak out about sexual violence**
 - **Rape crisis centers created to offer counseling and support, build public awareness, and change system response**

We've Come a Long Way!

- ▶ **In late 70's and the 1980's domestic violence identified as another experience in the lives of women and some men**
 - Focus on advocacy and policy change
 - Battered women advocates worked to criminalize the behavior and increase sanctions
 - Had the effect of strengthening the state's power over individuals and communities
- ▶ **Created state and local supporters, shelters and other services**

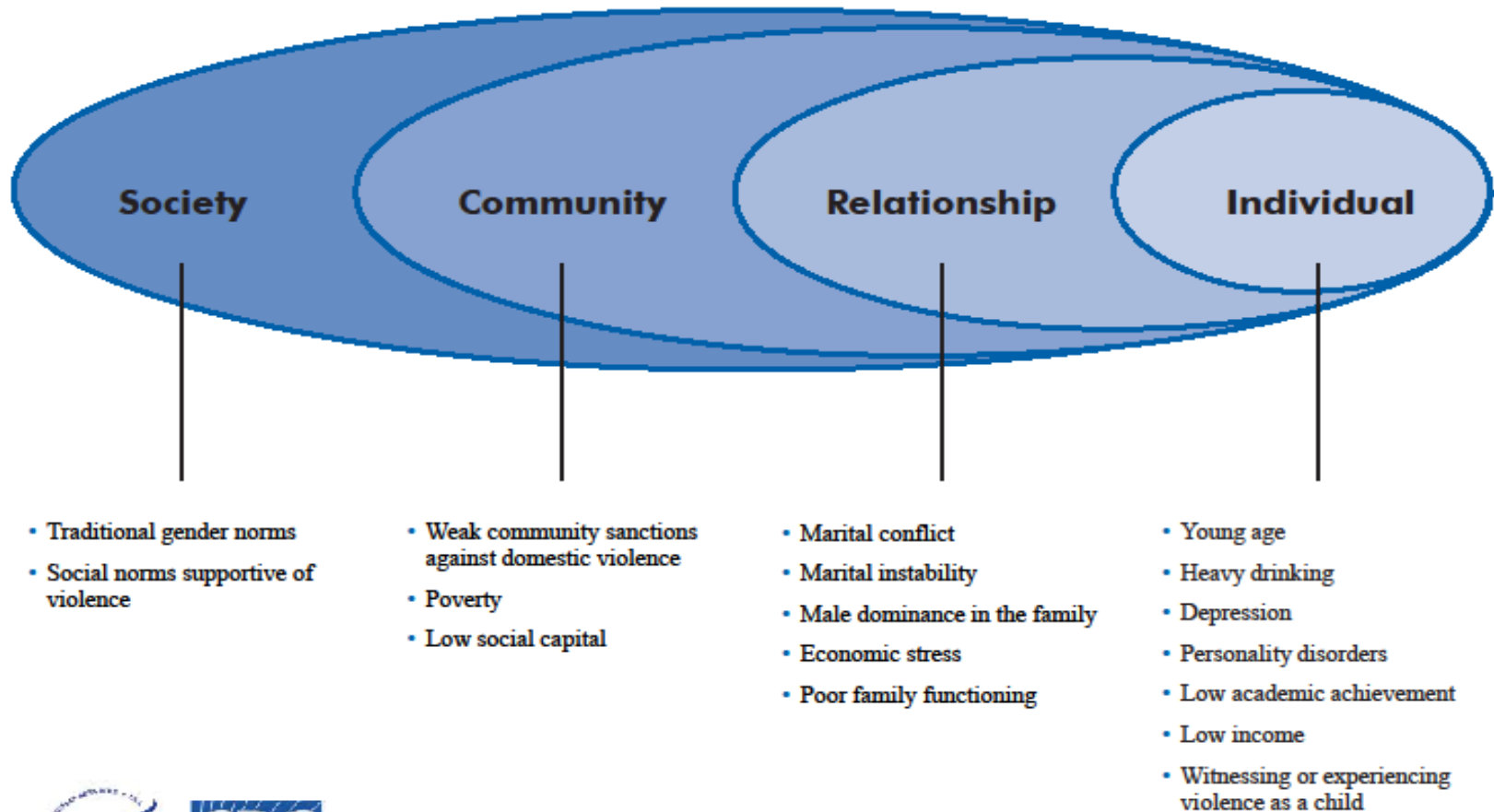
National Coalition Against Domestic Violence formed in 1978



We've Come a Long Way!

- ▶ In the 1980's every state had legislation to address violence against women and had gone from **no** services to a network of services throughout the country
- ▶ About half the states and territories had a Coalition formed with dedicated staff
- ▶ By late 80's, early 90's we began to know one another well and decided we were ready for a federal effort and began discussing what became elements of the Violence Against Women Act

Factors Associated with a Man's Risk for Abusing His Partner



Adapted from the *World Report on Violence and Health* (World Health Organization, 2002)

National Network formed in 1992



Violence Against Women Act, 1994!

- ▶ President Clinton took office in January, 1993
- ▶ VAWA I introduced by *now* Vice President, *then* Senator Joe Biden and amended onto the Violent Crime Control and Law Enforcement Act of 1994
- ▶ Completely unexpected that we would move forward so very quickly and some of the problems we have had relate to how fast VAWA and we moved!

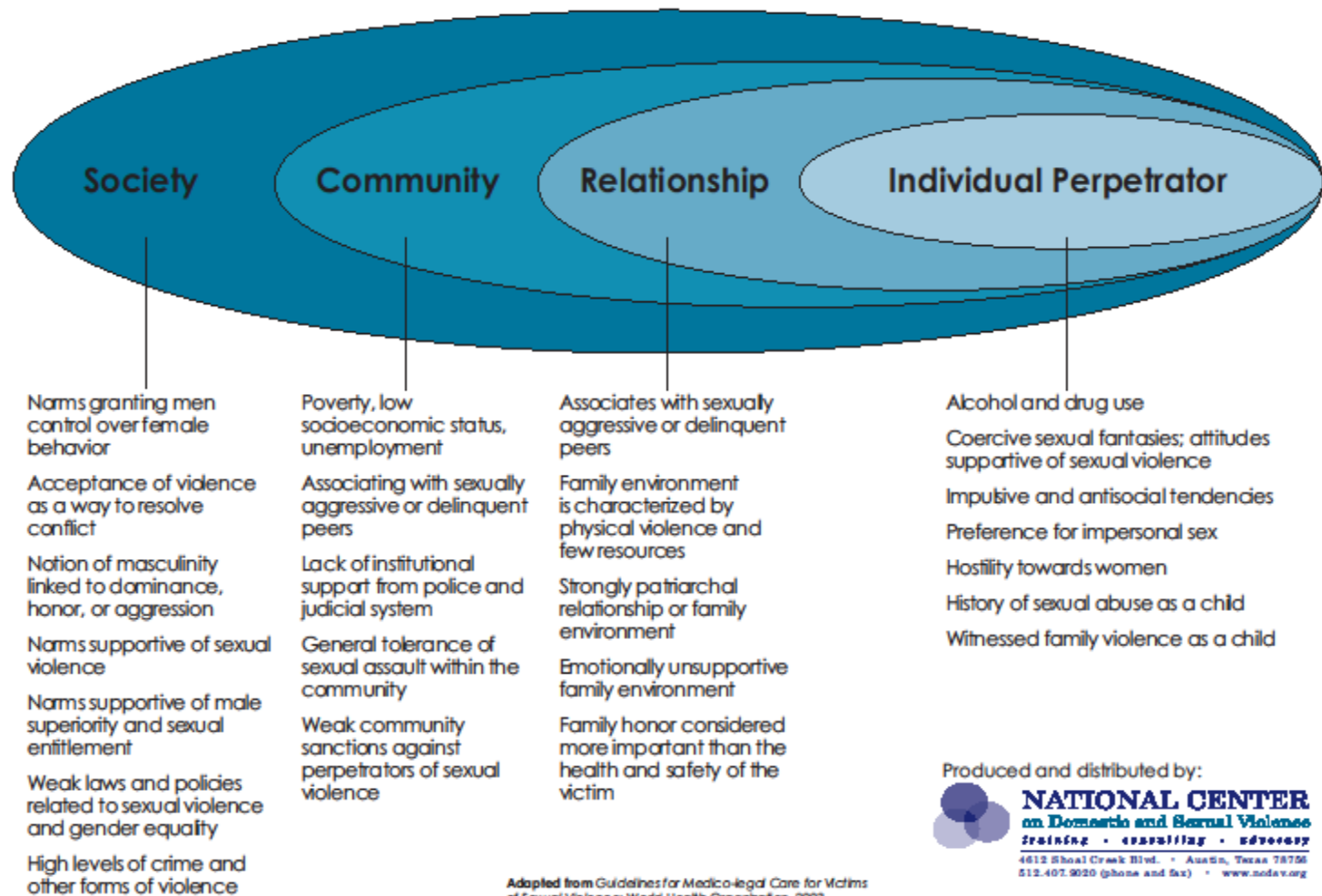
Celebration of 15th Year of VAWA



But Still so Far to Go...

- ▶ In the US, violence against women is publicly **un**acceptable, *yet entrenched*
- ▶ No single strategy alone has been successful in saving women's lives across communities
- ▶ The Criminal Legal System (CLS) is a response to, but not a solution for, preventing violence and we may have relied too heavily on it in designing VAWA and gave too much power to the government in managing the resources for services
- ▶ We are now devoting more attention to prevention in partnership with the CDC, see [DELTA Links](#), [DELTA Publications](#) and [Prevention](#)

FACTORS ASSOCIATED WITH MEN COMMITTING RAPE



Adapted from Guidelines for Medico-legal Care for Victims of Sexual Violence: World Health Organization, 2003

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State Coalitions

- ▶ Role of SDVCs & SSACs with responsibilities to membership, mentoring local programs and working with them to create partnerships with state entities and simultaneously contribute to national efforts
- ▶ Creating partnerships takes time and commitment of resources from Coalitions
- ▶ Having experiences inside the systems help to strengthen knowing how to work with them!

Challenges

- ▶ Challenges for local and state organizations in partnering with so many criminal justice partners while the need for services continues to increase
- ▶ Building state and national communication and joint efforts to build a movement, internal efforts to be mutually supportive
- ▶ Deepening the understanding of experiences of women of color and others for whom programs and coalitions *must work in partnership* to design responsive services

Taking Action

- ▶ **First stage (10 years)**
- ▶ **Second stage (20 years)**
- ▶ **Third stage (30 years)**

Implications For Your Country

- ▶ In criminalizing the behavior *who* might be adversely harmed?
- ▶ Who may not participate in the criminal legal system?
- ▶ What are some potential consequences of classism and racism on victims and perpetrators?

2022: Visioning The Future

- ▶ **What has the anti-violence movement created in your country?**
- ▶ **What are some of the unintended consequences?**
- ▶ **Who have been negatively impacted?**
- ▶ **Who are the partners in the anti-violence movement?**
- ▶ **How will you work together to achieve peace, liberation and justice for all?**

2ND WORLD CONFERENCE OF WOMEN'S SHELTERS ~ CREATING A UNITED VOICE

- ▶ ([English](#), [Français](#) and [Español](#)), [National Network to End Domestic Violence](#), and the [National Resource Center on Domestic Violence](#), Washington, DC: February 27 – March 1, 2012.
- ▶ [Delegate Information Packet](#)
- ▶ [Photostream](#)
- ▶ [Program](#)
- ▶ [Watch](#) President Clinton's speech on February 29, 2012

More on VAWA

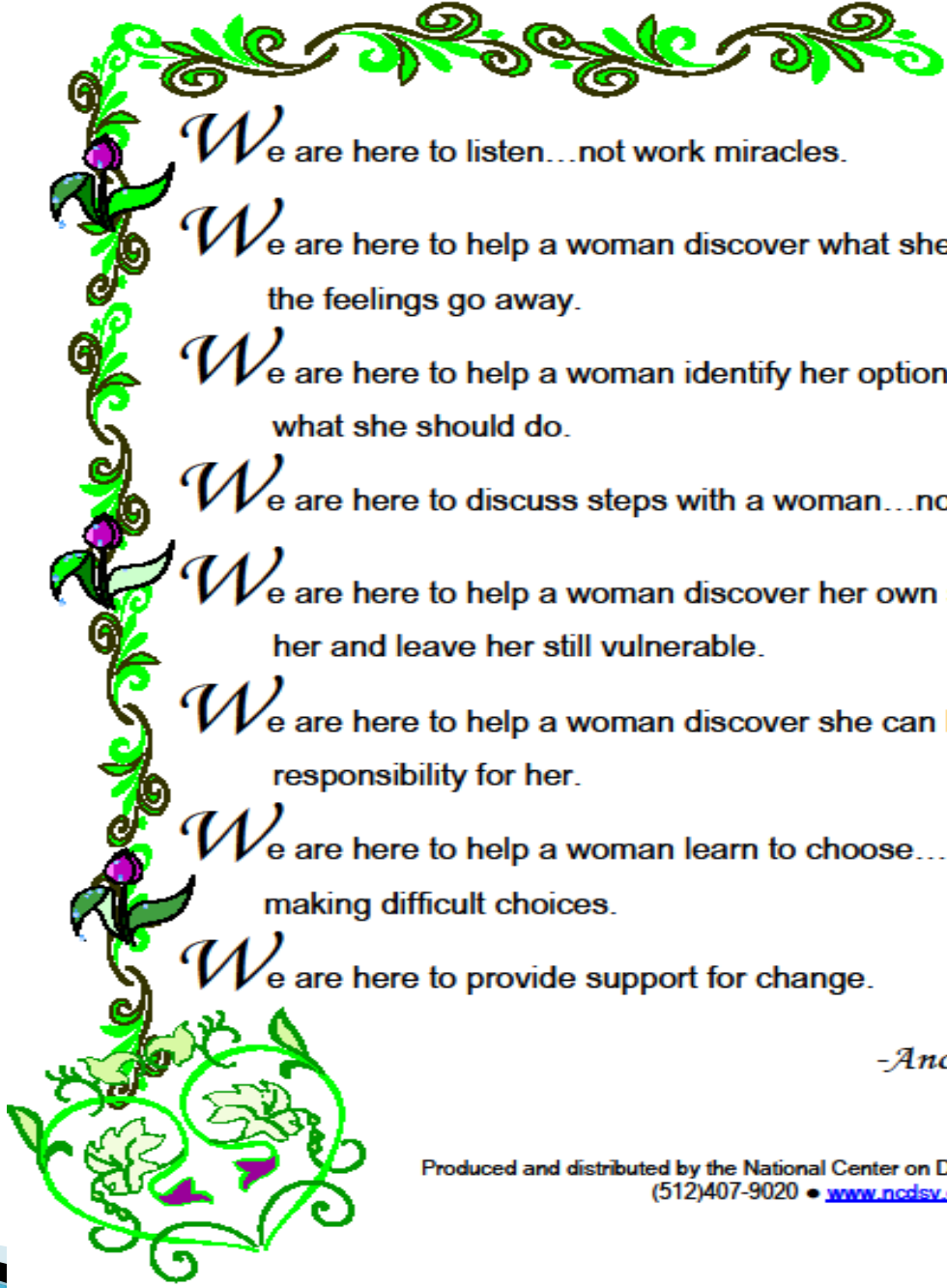
- ▶ GO to www.ncdsv.org, [Resources Tab](#), [Publications](#), [VAWA 1994 and 2000](#) and [VAWA 2005 and 2102](#)
- ▶ [Handout](#), *Oversight on the Office on Violence Against Women*, Susan B. Carbon, testimony before the [Committee on the Judiciary, U.S. House of Representatives Subcommittee on Crime, Terrorism and Homeland Security](#) (scroll down), February 16, 2012, and
- ▶ [Handout](#), *Lessons Learned from Implementation of the Violence Against Women Act*, [Office on Violence Against Women, U.S. Department of Justice](#), January 2011

Discussion

What would be most helpful to support your efforts?

U.S. Resource Listing from NCDSV

Domestic Violence and Sexual Assault Resources



We are here to listen...not work miracles.

We are here to help a woman discover what she is feeling...not to make the feelings go away.

We are here to help a woman identify her options...not to decide for her what she should do.

We are here to discuss steps with a woman...not to take steps for her.

We are here to help a woman discover her own strength...not to rescue her and leave her still vulnerable.

We are here to help a woman discover she can help herself...not to take responsibility for her.

We are here to help a woman learn to choose...not to keep her from making difficult choices.

We are here to provide support for change.

-Anonymous

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Thank you for your attention.



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Reference Material Follows

***Adapted from *Safety & Justice For All:
Examining the Relationship Between the
Women's Anti-violence Movement and the
Criminal Legal System****

Ms. Foundation For Women

Research Findings

- ▶ Rate of women's victimization much the same as in 1970's
 - see www.ncdsv.org, [Resources](#), [Publications](#), [Statistics](#), (*alpha to*) National Intimate Partner and Sexual Violence Survey, NISVS
- ▶ Argues for more investment in prevention
- ▶ Fewer men being killed by women in self defense or by their family members because there are places to go for safety.....*shelters*

Have we been Over-reliant?

- ▶ **Over-Resourcing:**
 - **Imbalance of resources on the CLS vs. direct services for victims and battering intervention programs**
- ▶ **Over-Extension of Powers:**
 - **Negative consequences in poor, immigrant and communities of color**

Have we been Over-reliant?

▶ Undue Compulsion:

- Not allowing women to make their own decisions about how to address the violence in their lives
- System exerts control, comparable to the batterer

▶ Any Reliance is Over-Reliance:

- CLS is inherently unjust (racist, xenophobic, and homophobic)
- A corrupt system that decimates communities of color

Progress at what Cost?

- ▶ Law enforcement interventions vary across communities
- ▶ Individual experiences also vary
- ▶ Communities of color experience law enforcement as too present in their lives
- ▶ Victims lose all control once the system enters their lives

Progress at what Cost?

- ▶ Arrests of victims and men of color swept into system more frequently
- ▶ Rural or affluent white communities sometimes feel that no one is arrested for domestic or sexual violence
- ▶ Sexual violence survivors often re-victimized by the legal system
 - Few perpetrators are prosecuted and fewer are convicted

Research Findings

- ▶ **2001 Bureau of Justice Statistics – Intimate homicides rates are down, especially for African American men**
- ▶ **Black women report victimization at a higher rate than Black men (48%), white men (45%), and white women (50%)**

Research Findings

- Increased legal advocacy associated with **FEWER** white married women being killed; and **MORE** black unmarried women being killed
- Certain protective order policies associated with decreased victimizations of black married women; and increased homicides among black unmarried intimates
- No one policy affects all groups the same way (in decreasing violence)

How did we get Here?

- ▶ **1980's advocates worked to make CLS more sensitive and responsive to victims**
 - Collaborations between advocates and law enforcement
 - Government funding used to support these efforts
 - Accountability as a function of the CLS
- ▶ **Interlocking coordination**
 - All roads lead to the CLS from any entry point
 - Victims had little control over the outcomes

Unintended Consequences

- ▶ **Criminalizing poor women and women of color**
 - Perception of poor women as prostitutes, child abusers, drug addicts or other criminal people
 - Over 2 million women arrested each year
 - 1 / 3 in prison report history of child sexual abuse
 - 20–34% report abuse by an intimate partner
 - Being arrested in domestic violence situations

Unintended Consequences

- **Women arrested as a result of false accusations**
- **Some arrested for harming or killing their partner when it was self defense**
- **During court process victim's experience of battering is challenged**
- **Mothers being charged for 'failing to protect' their children from witnessing domestic violence**

Unintended Consequences

- ▶ **Poor children and children of color are institutionalized**
 - Twice as likely as white children to be taken away from their parents
- ▶ **Girls involved in criminal legal system**
 - 54% incarcerated girls have sexual abuse history
 - 61% physically abused
 - Majority with multiple abuse histories
 - Abused girls of color processed as offenders
 - Abused white girls treated as victims and referred to services

Unintended Consequences

- ▶ **Immigrants are criminalized**
 - Battered immigrant women arrested for fighting back may risk deportation and/or lose other protections (child custody cases)
- ▶ **Communities are decimated**
 - Victims forced to leave their community when they seek shelter, children are removed, and immigrants deported
 - Locus of control is institutionally based

Unintended Consequences

- ▶ **Racial bias in legal and other state systems has disproportionately devastating effects on Communities of Color, Poor and Immigrant People**
 - Mass incarceration of poor men and men of color
 - Black men treated worse than white men
 - Establishing DNA database—protect more men of color from false accusations or a tool to catalogue men of color?

Considerations

- ▶ **Loss of independent voice as a result of government funding and regulations**
 - **Guided movement away from autonomy and community reliance**
 - **Watered down political analysis**
 - **Gender politics often glossed over**
 - **Co-opted and created dependency**
 - **Advanced some cooperation, coordination and collaboration with advocates and systems**

Considerations

- ▶ **Most intimate partner violence is not reported to law enforcement**
 - 4/5 rapes, 3/4 physical assaults & 1/2 stalking incidents are not reported to law enforcement
 - The anti-violence movement knows little about these women
- ▶ **For many women, violence may be secondary to their need for economic survival, opportunities for advancement, and dignity as mothers and human beings**

Considerations

- ▶ **Criminal legal system remedies may not have the effect of elevating the status of women, but rather devaluing men within the community.**
- ▶ **Battered women often seek reclamation, rehabilitation, redemption and restoration rather than incarceration**
 - **Beyond the scope of criminal legal system**

Considerations

- ▶ **Narrow focus hampers coalition building**
 - Focus on criminal legal system viewed with caution from those working on other social justice issues (housing, labor, education and civil rights)
 - Women Of Color organizations do not confine their work to domestic violence but often link to related issues (war, racism, police brutality, welfare reform, inter and intra-community relations, and leadership)

Considerations

- The dominant domestic violence movement has often dismissed these activities as too distracting
- Split the movement along color lines
- ▶ **Not enough tools—now all we have in some communities is criminal legal system and often funded by VAWA funds without strong advocate agency partners**

Considerations

- ▶ **Loss of power in communities:**
 - **Lack of focus on prevention and early intervention**
 - **Moving away from grass roots movement to professional**
 - **Survivors voices not heard**

Progress at what Cost?

- ▶ For many women, the criminal legal system helped them escape partners who use violence, or decreased the violence in their lives, and provided them and their children with options and opportunities
- ▶ For others, the criminal legal system has not been a positive or helpful experience

Questions and Issues

- ▶ **Efforts to address violence against women were intended to protect women, not to cause harm**
 - **What if anything, of the criminal legal system do you want to maintain?**
 - **What parts of the legal system do you want to dismantle, modify, enhance or replace?**
 - **Can you achieve prevention of violence against women through a broader agenda that invests in education, employment, housing and other basic needs?**

Exploring Alternatives

- ▶ **Is a little reliance OK?**
- ▶ **How can we ensure growth of direct services to victims?**
- ▶ **What are community based alternatives to the criminal legal system?**
- ▶ **What could be the new role for the government?**

Implications For Your Country

- ▶ **Question: What might it look like if your community had the resources to explore effective interventions that kept decision-making power within the community, and make it possible for women to stay in their communities?**

Visioning the Future

- ▶ **Ending violence against women as part of broader social justice agenda**
- ▶ **Prioritizing coalition building with other anti-oppression groups**
- ▶ **Flattening out the power structure**
- ▶ **Sharing a common platform with disempowered groups**

Visioning the Future

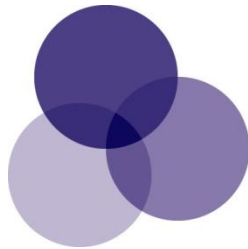
- ▶ **Abolishing separation between victim and expert**
- ▶ **Collaborating with those whose daily work is not anti-violence**
- ▶ **Agencies and staff mirroring the complexity of multiple issues that affect the lives of women**
- ▶ **Safety for women in a larger context of peace, liberation and justice for all**

NCDSV, Resources, Publications, Violence Against Women Act 1994 and 2000

- ▶ LESSONS LEARNED FROM IMPLEMENTATION
OF THE VIOLENCE AGAINST WOMEN ACT,
Office on Violence Against Women, U.S.
Department of Justice, Washington, DC:
January 2011.

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