



2019-20 Legislative Agenda



WHO WE ARE

End Domestic Abuse Wisconsin (End Abuse), founded in 1978, **is the statewide voice for victims of domestic violence.**



We **educate** shelter and program volunteers and advocates, law enforcement, legislators, and community members to **provide safety and support** to survivors. We **partner** with communities to shift Wisconsin from the attitudes and beliefs that cause domestic violence to values of mutual respect and equality. By doing so, we strive to **prevent and end domestic abuse for future generations.**

End Abuse is guided by the following core principles:

Promoting the social change necessary to end domestic violence

Respecting the individual autonomy of survivors

Providing safety and justice for victims

Ensuring accountability for perpetrators

In determining which legislative efforts to support or oppose, End Abuse consults with domestic violence programs, survivors of domestic violence, coordinated community response teams, and other professionals who work to address domestic violence. We encourage legislators, local domestic violence programs, survivors and other professionals to contact us with potential legislative initiatives throughout the session. This legislative agenda highlights some of the issues and policies we prioritize as a coalition representing the diverse needs and interests of survivors and their families.

BREAKING THE GENERATIONAL CYCLE OF DOMESTIC ABUSE

10%

of students report experiencing physical dating violence



Nearly

50%

of students who attempted suicide experienced sexual or dating violence -- 3x more than their peers

THE PROBLEM

- > According to the 2017 Wisconsin Youth Behavior Risk Survey, about **1 in 10** female students, and **1 in 20** male students, report experiencing physical dating violence.
- > Nearly **1 in 7** female students report having been forced into sexual activity.
- > Rates of sexual and dating violence are particularly high for students with physical disabilities or health issues & LGBT students.
- > Almost **1 in 5** such students have been raped (18% of students with disabilities and 17.4% of LGBT students)
- > A CDC report found that among victims of sexual violence, physical violence, or stalking by an intimate partner, about **26% of females & nearly 15% of males first experienced some form of violence** by that partner **before age 18**.

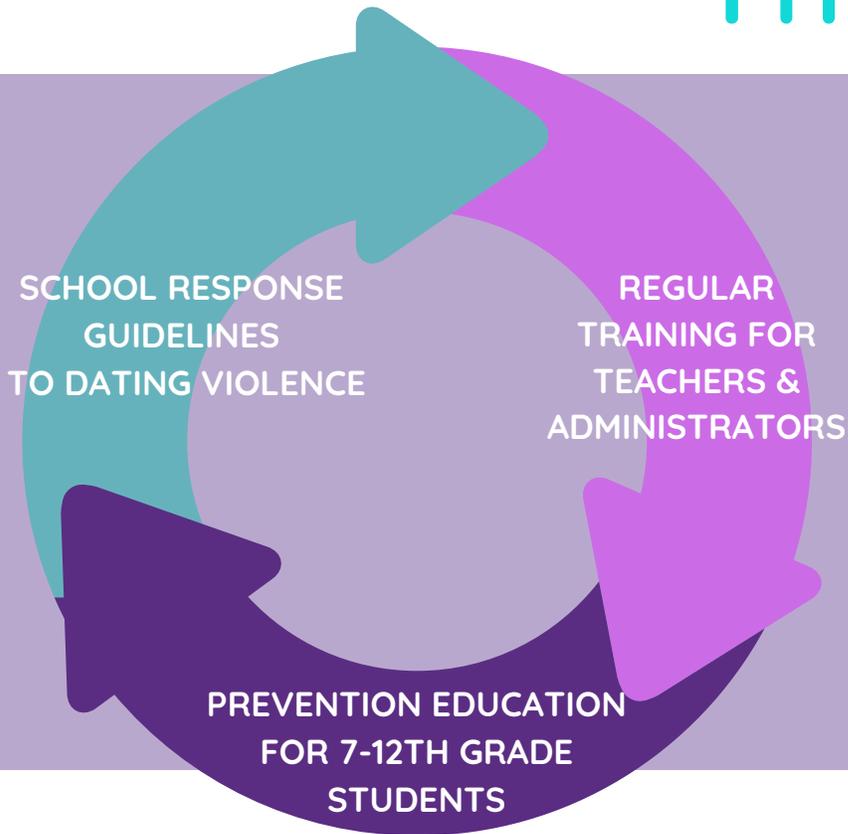
THE OUTCOMES



Youth who experience sexual and dating violence are more likely to:

- > Experience symptoms of **depression & anxiety**
- > Engage in unhealthy behaviors, such as **tobacco, drug, and alcohol abuse**
- > Exhibit **antisocial** behaviors
- > Think about or attempt **suicide**
- > Experience **victimization later in life**

THE SOLUTION



To address this public health crisis, the legislature should direct Wisconsin public schools to implement **age appropriate curricula on the warning signs of abusive relationships and how to respond to sexual and dating violence.**

We encourage the legislature to support Teen Dating Violence Prevention legislation that:

DIRECTS

schools to integrate **teen dating violence prevention education** into classroom instruction for 7-12th grade students. The curricula should give students the tools to recognize warning signs of abuse and to strive for safe and healthy relationships.

SETS

guidelines for **schools' response to teen dating violence** to create an atmosphere in which victims can get help and abuse is not tolerated.

PROVIDES

training for teachers and administrators on a regular basis. Having **informed educators** ensures violence is addressed appropriately as soon as it is identified.

POLICY PRIORITIES
TO BREAK THE GENERATIONAL CYCLE OF ABUSE



ENSURING SUPPORT FOR SURVIVORS & THEIR CHILDREN IN THE FAMILY LAW SYSTEM



The Family Law System is chronically underfunded and over-burdened. This minimizes the nuances of complex cases and encourages judges, commissioners, GALs & others to ignore the signs of domestic violence, leading to dangerous outcomes for non-abusive parents and their children.

THE PROBLEM

- > The Family Law System **does not consistently account for domestic violence** when making child custody & placement decisions.
- > In cases with a history of criminal domestic violence, **DV is rarely mentioned & DV findings are rarely made** by the Court.
- > Even when a child has witnessed violent abuse, **sole placement with the victim is rarely ordered**, & joint custody is the most common order.
- > **Safety provisions**, to ensure the protection of the child & victim, **are rarely ordered** in cases with a criminal history of domestic violence.
- > **Many judges are unaware of the history of DV** when making their decisions, or they do not believe it should affect custody and placement.
- > **Guardians ad Litem**, appointed to determine the best interest of the child, **are not systematically accounting for domestic violence**.
- > **The court process is cumbersome & challenging** for unrepresented litigants (more than 50% of the survivors who go through family court). The Family Law system is **not trauma-informed or victim-centered**.

THE SOLUTION

We encourage the legislature to support family law legislation that:

REQUIRES

frequent, quality training on DV Dynamics, Child Exposure to DV, & the effects of trauma for GALs, judges, & other court personnel.

ALLOWS

other qualified professionals to obtain a license to practice as a GAL, such as victim & child advocates or social workers.

CONNECTS

GAL compensation levels to CE credits earned.

INCREASES

funding for GAL compensation to lessen the financial burden on families.

EXPLORES

GAL accountability mechanisms, such as an oversight board.

CONSIDERS

a separate track for DV cases that enter the Family Law System.

PROVIDES

more funding for civil legal services to ensure more DV survivors have representation in family court.



TO SUPPORT SURVIVORS & THEIR CHILDREN IN THE FAMILY LAW SYSTEM

POLICY PRIORITIES

BUILDING A HOUSING SYSTEM THAT PROVIDES SAFETY FOR SURVIVORS



THE PROBLEM

More than

50%

of homeless women have reported that domestic violence was the cause of their homelessness

- > Available & affordable housing since the Great Recession has declined significantly.
- > The housing system is funded by many different sources which all have complex restrictions that make it challenging for DV survivors to quickly and safely access housing services.
- > The recent deterioration of tenant's rights has increased barriers to housing access and safety for survivors.
- > Local nuisance ordinances make domestic violence a neighborhood "nuisance" and place even more restrictions on housing access for DV survivors.

50%-80%

of homeless women & children have previously experienced domestic violence

THE SOLUTION

POLICY PRIORITIES

TO BUILD AN ACCESSIBLE, AFFORDABLE HOUSING SYSTEM FOR SURVIVORS & THEIR FAMILIES

We encourage the legislature to support housing legislation that:



CREATES

flexible funding sources that limit restrictions on participant entry & allow programs to develop innovative approaches to meet the unique needs of survivors & their families.

PROHIBITS

nuisance ordinances

STRENGTHENS

tenant/renter protections

EXPLORES

more incentives for builders who build affordable housing units or designate a significant portion of units as affordable.

CONSIDERS

incentives for landlords who work with DV programs to find potential tenants

ENCOURAGES

providers to work together, limit excessive restrictions, & increase funding for other housing programs to ensure less competition over scarce resources.



PROTECTING SURVIVORS & THEIR CHILDREN IN THE CHILD WELFARE SYSTEM



Numerous studies report that in

30 - 60%

of domestic abuse cases, there is **co-occurring child maltreatment.**

THE PROBLEM

- > **DV victims can be charged & convicted** of child neglect for failing to intervene or protect a child from the abuser's neglect in a domestic violence situation.
- > CPS workers **do not systematically recognize & account for DV dynamics** in the home.
- > CPS cases are extremely challenging, leading to **CPS worker burnout and high turnover rates.**
- > CPS workers have **incredibly high caseloads**, with few opportunities to catch up.
- > Due to high turnover rates, many CPS workers **do not have the requisite training, specifically on domestic abuse dynamics.**

THE SOLUTION

We encourage the legislature to support legislation that:

INCLUDES

an affirmative defense in statute for survivors unfairly charged with Child Neglect.

REQUIRES

intensive and high-quality training that includes simulations on domestic abuse dynamics for CPS workers within one year of employment.

REQUIRES

that all CPS worker training be completed within one year of employment, instead of two years.

INCREASES

state funding to County Human Services to hire more case workers and lighten the case loads of current CPS and Youth Justice case workers.



TO PROTECT SURVIVORS & CHILDREN IN THE CHILD WELFARE SYSTEM

POLICY PRIORITIES

CREATING SAFETY FOR IMMIGRANT & UNDOCUMENTED FAMILIES



THE PROBLEM

Wisconsin's domestic violence programs report **dramatic decreases in the willingness of Latino and immigrant victims to engage with the justice system.**

The heightened fear of deportation and separation from families means **undocumented victims of violence are afraid to seek help, even when they are directly in harm's way.**

Because of their immigration status and associated barriers, undocumented victims of domestic abuse are unlikely to:

- File restraining orders to stay safe from abuse
- Report violent crimes to local law enforcement
- Cooperate with the prosecution of violent abusers
- File for divorce to maintain custody of their children
- Seek out social safety net services that would help them live independently of their abuser

THE SOLUTION

When victims do not feel comfortable communicating with law enforcement, abusers continue their violent behavior unimpeded. For the safety of immigrant and undocumented survivors, as well as the community at large, the legislature should:



POLICY PRIORITIES

TO CREATE SAFETY FOR IMMIGRANT & UNDOCUMENTED FAMILIES

PERMIT

undocumented immigrants **to acquire drivers' licenses**, ensuring that victims will be able to escape abuse & reach out to law enforcement without violating traffic laws

OPPOSE

any legislation that **entangles local law enforcement with federal immigration** enforcement agencies like ICE

SUPPORT

effective community policing techniques that **encourage crime victims to engage with law enforcement**, regardless of immigration status

ALLOW

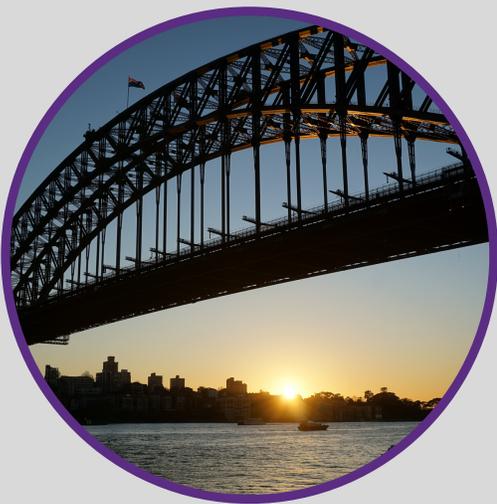
for the establishment of **zones designated as sanctuaries** for undocumented families

SUPPORT & EXPAND

protections from immigration enforcement in sensitive locations like homes, schools, hospitals, places of worship, court rooms, etc.



PUBLIC BENEFITS: BUILDING A BRIDGE TO SAFETY

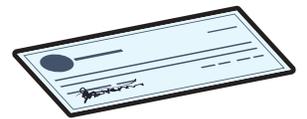


Nearly every case of domestic violence involves financial control.

THE PROBLEM

Abusers use various tactics to **limit the economic independence** of their victims including:

> **Withholding of resources** like paychecks or child support



> **Credit manipulation** and blocking the development of credit history



> **Limiting access to assets** like cars and home mortgages



> **Impeding survivors' ability to access employment** & establish a work history



THE SOLUTION

We encourage the legislature to:

EXPAND

access to all social safety net services like FoodShare, Medicaid or BadgerCare, SNAP benefits, public housing, unemployment insurance, and more.

EXPAND

tax credits for childcare reimbursements and increase investment in the Youngstar Childcare Improvement Program grants.

ELIMINATE

benefit eligibility restrictions like work requirements, drug testing and employment training for struggling families.

RAISE

the minimum wage to \$15/hour.

INVEST

additional funds in transitional jobs programs.

REQUIRE

paid family and sick leave.

For survivors, financial control means that they are immediately thrown into economic precarity upon leaving an abusive partner.

Therefore, **social safety net services serve as critical bridges to safety for victims of all backgrounds.** To ensure that victims of domestic violence have the necessary tools to escape abuse, we encourage the legislature to:

POLICY PRIORITIES
TO BUILD A BRIDGE TO SAFETY

PROTECTING VICTIMS FROM GUN VIOLENCE



The connection between gun violence & domestic abuse could not be any clearer.

THE PROBLEM

- > Firearms are **the most common weapon** used in all domestic violence killings.
- > Nearly **every mass shooter** has a documented history of violence against women.
- > In 2016, a Wisconsinite lost their life to domestic violence on average **once every five days**, and firearms were the weapons used in over half of those killings.

5x

Abused women are more than **five times more likely to be killed** if their abuser owns a firearm.

12x

Domestic violence assaults involving a gun are **12 times more likely to end in death** than assaults with other weapons or physical harm.

THE SOLUTION

In order to **prevent homicides** and keep victims safe in the long term, we must address current loopholes in state law that **give abusers easy access to deadly weapons.**

States with universal background checks have been shown to have nearly **40% fewer women shot and killed annually.**

POLICY PRIORITIES

TO PROTECT VICTIMS FROM GUN VIOLENCE

IMPLEMENT

universal background checks on all gun sales

REINSTATE

the 48hr waiting period on firearm purchases

CLOSE

the gun-show and online sale loopholes that allows prohibited purchasers to get a gun

PROHIBIT

misdemeanor domestic violence offenders from possessing weapons



REFORMING THE CRIMINAL JUSTICE SYSTEM



End Abuse supports measures to drastically alter the course of our criminal justice system to stop the over-criminalization and mass incarceration of people of color.

THE PROBLEM

The ongoing expansion of the prison system is devastating communities of color and solidifying a direct poverty to prison pipeline.

- > A 2016 study found that Black women make up a disproportionately high percentage (44%) of women in jail.
- > Wisconsin is one of only five states that incarcerates African Americans over ten times the rate of whites. Here, African Americans are incarcerated 11.5 times more than whites.
- > Wisconsin ranks 2nd in the country for black incarceration rates.

THE SOLUTION

We encourage the legislature to:

DECRIMINALIZE

marijuana possession and other nonviolent drug related offenses



ELIMINATE

truth in sentencing laws and explore alternatives to incarceration, especially for nonviolent offenses



MOVE

from a cash bail system for pretrial detention towards evidence based practices, focusing on the expansion of available bail and sentencing options



ALLOCATE

additional funds for public defenders, prosecutors and county victim witness units



EXPLORE

policies to minimize youth detention and focus instead on mental health services



To undo this legacy of racial discrimination in the justice system, we encourage the legislature to support policies focus on restorative justice and the prevention of violent crimes. This session, we encourage the legislature to:

POLICY PRIORITIES
TO REFORM THE CRIMINAL JUSTICE SYSTEM





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