

# AGENTS FOR CHANGE

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Agents for Change  
is a publication of the  
Battered Women's Legal  
Advocacy Project, Inc.

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## Staff

Maria Gloria Fressia  
Rana SA Fuller  
Kimberly Weinacht

## New Faces at BWLAP!

BWLAP is very proud to announce the incorporation of two new staff members, Rana Fuller and Kimberly Weinacht.

Rana and Kimberly are two brilliant and enthusiastic licensed attorneys with extensive experience in domestic violence. Rana obtained her Juris Doctor Degree at Northeastern University whose School of Law is widely well known for its focus on domestic violence issues. Before entering to law school, Rana worked for more than three years as a domestic violence and sexual assault victim advocate at two different shelters in Ames and Des Moines, Iowa. As a law school student, Rana performed as the team leader with the Domestic Violence Institute at Boston Medical Center project, represented clients at Dorchester District Court on domestic violence restraining orders and represented clients through the Poverty Law Clinic.

Kimberly graduated *cum laude* from the University of Minnesota Law School in 1999. During the three year period at law school, Kimberly traveled to study abroad twice, first to the University of Uppsala, Sweden, and secondly to the University of Exeter, England. After graduating, Kimberly worked for two years at Hennepin County District Court assisting Judge Bruce A. Peterson, conducting research, writing Memoranda, and performing other courtroom duties. From that position, Kimberly moved to a law firm in the Twin Cities where she worked for more than two years as an associate Family Law attorney.

Undoubtedly, Rana and Kimberly have great qualifications to join BWLAP and we are thrilled having them. However, besides their experience and expertise, there is another aspect that we would like to point out and that is their positive energy, enthusiasm, and commitment with BWLAP's mission and values. With Rana and Kimberly on board, BWLAP ensures its mission – to improve the lives of battered and immigrant battered women and their children, particularly those most underserved – is fulfilled. Moreover, with the Strategic Planning finished, and with this positive, experienced, and dynamic staff, BWLAP's future will certainly be full of accomplishments.

WELCOME!

## Upcoming Events at BWLAP

- March 2-3  
MCBW 2005  
Violence Against  
Women Action  
Day at the State  
Capitol.
- March 10  
MCH and  
Housing Minnesota's  
Lobby/Citizen's Day  
On the Hill at the  
State Capitol.
- March 12  
International  
Women's Day
- March 31-April 1  
The IRBWTF  
2005 Institute: A  
Two part Series  
at CLUES

## BWLAP Welcomes New Board Members

BWLAP would like to introduce our new board members, who bring fresh energy and perspectives to BWLAP's Board of Trustees. In Early February, we welcomed Tonya S. Boyd of Family Group Decision and Chloe Thompson of the Kennedy Law Group to the BWLAP team. We thank these talented women for donating their time and energies to serving on BWLAP's board!

We would also like to announce the recent election of our board chair, Candy Bakion.

BWLAP's Board of Trustees is currently undergoing a board development process, one goal of which is to increase the size and diversify the talents of BWLAP's board. BWLAP's board is actively recruiting new members. Individuals with financial/accounting knowledge and non-profit management experience are especially encouraged to apply, although we welcome applicants from all backgrounds. Women of color, survivors of domestic abuse, and members of other under-represented communities are also encouraged to apply. Please contact Gloria Fresia at 612-343-9846 or e-mail [info@bwlap.org](mailto:info@bwlap.org) if you are interested in applying.

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## Building Minnesota: 2005 Lobby/Rally Day March 10, 2005

Join the Minnesota Coalition for the Homeless and Housing Minnesota in making housing and homeless prevention top priorities in the 2005 legislative session. Help insure all Minnesotans are adequately housing and advocate for a better Minnesota. Resister at [www.housingminnesota.org/events](http://www.housingminnesota.org/events) or call Tom Goldstein of Housing Minnesota at 651.649.1710 x106 or Mike Davey of Minnesota Coalition for the Homeless at 612. 879.9437. You will be provided training with an experienced lobbyist in how to communicate effectively with your legislator. Finally, you will be able to help lobby your legislator for affordable housing with constitutes from your area on March 10, 2005 from 9 am to 3 pm. There will also be a rally at the steps of the capitol from 1 pm to 2 pm. Please join us, MCH and Housing Minnesota on March 10<sup>th</sup> and help make a difference in the lives of ALL Minnesotans.

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## BWLAP Welcome New Volunteers and Interns!

BWLAP would like to welcome our new volunteers and interns: Heather, Nora, Erin, Melanie, Lesley and Katherine. Heather has been diligently updating and re-designing our database. She is doing a wonderful job! Nora is a sociology student from the University of Minnesota. Nora will be working on a resource manual and creating a TAP on cultural competence. Erin, Melanie, Lesley and Katherine are our new legal volunteers. They are all law students from different law schools. Lesley will be working with Kim to create an OFP manual. Melanie will be working with Gloria on immigration issues. Erin and Katherine will be working on updating all of our current TAPs, along with other general research that comes up from time to time. We are very excited and grateful to have all of the volunteers and we just wanted to say THANK YOU!

## *Immigration Corner*

The United States House of Representatives passed last February 10<sup>th</sup> a piece of legislation called “REAL ID ACT” that would intensify repressive actions against immigrants and refugees under the excuse of combating terrorism.

This anti-immigrant initiative was originally attached to intelligence reform legislation approved last year, but was removed because of opposition within the Senate. Now immigrant defenders are concerned that the bill will be attached to any other “must pass” legislation and pass the Senate.

Because of the implications of this piece of legislations an ACTION ALERT was issued among immigrant advocates.

The REAL ID Act of 2005 contains: Title I, Amendments to Federal Laws, and Title II, dispositions to Improve Security for Driver’s Licenses and Personal Identification Cards.

Title I – Amendments to Federal Laws.

Section 101, Preventing Terrorists from Obtaining Asylum

This provision raises the standards and evidentiary burden governing asylum applications and applications for withholding of removal, to be effective the day of enactment or afterwards.

In particular, this Section:

- Requires all asylum applicants to prove a “central reason” for their persecution within the categories of race, religion, national origin, political opinion, or social group.

- Allows judges to require credible asylum applicants to obtain corroborating evidence “unless the applicant cannot obtain the evidence without leaving the country” and bars judicial reversal of determinations regarding the corroborating evidence.

- Authorizes credibility determinations based on the applicant’s demeanor or on the consistency of the applicant’s written or oral statements.

- Bars any court from review of any discretionary judgments, decisions, or actions.

- Repeals the provision enacted in the intelligence reform legislation mandating a study of vulnerabilities in our asylum system.

This proposal will decrease significantly the number of asylums approved in the U.S. but will not make us more secure against terrorism, as terrorists are already precluded from obtaining asylum. Most importantly, this new law, if passed, would diminish the necessary judicial control over arbitrary administrative decisions.

Section 102, Waiver of Laws Necessary for Improvement of Barriers at Borders.

This provision amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRAIRA) giving the Secretary of Homeland Security the authority to waive all laws to expedite construction of security fences and barriers at the borders.

So far, environmentalists have opposed the construction of any fence or barriers at the borders, but this provision will allow building constructions with no possibility of judicial review.

Section 103, Inadmissibility Due to Terrorist-Related Activities.

This provision would apply retroactively and would expand the definition of “terrorist organization”, the concept of “engagement in terrorist activities”, and would establish a new ground of inadmissibility based on endorsement or support to any terrorist organization or terror-related activity.

The fact that the proposed legislation would apply retroactively, would render deportable individuals who provided support (in the past) to a group or organization which, at the moment, was not a designated terrorist organization. By this mechanism of penalizing actions retroactively, individuals would suffer punish-

ment for lawful acts. This is unacceptable in a modern state of law.

## Title II – Improved Security for Driver’s Licenses and Personal Identification Cards

### Section 202, Minimum Document Requirements and Issuance Standards for Federal Recognition.

This provision raises and unifies the documentary requirements to issue a driver’s license or state identification cards.

According to the statute, a state shall require, at minimum, presentation and verification of: a) a photo ID document; b) documentation proving the person’s date of birth; c) proof of the person’s social security number or verification that the person is not eligible for a social security number; d) documentation of the person’s name and address of principal residence.

The statute prohibits state authorities to accept any foreign document other than an official passport as proof of identification.

Related to immigrants this new law would pose more limitations to obtain a driver license.

According to this new law: a) each driver license applicant must demonstrate her/his immigration lawful status; b) applicants who present a nonimmigrant visa, a pending application for asylum, a pending or approved applications for temporary protected status, approved deferred action status of a pending applications for permanent residence or conditional permanent residence, may only receive a “temporary” driver license, valid only for the period of the applicant’s authorized stay in the U.S. or one year if there is no definite end to the period of authorized stay.

The provision also prohibits federal agencies from accepting for any official purpose a state-issued identification card or driver’s license that does not meet numerous minimum document requirements and issuance standards, including the verification of immigration status.

In addition, states must enter into a Memorandum of Understanding with Department of Homeland Security no later than September 11, 2005 to verify the legal presence of all noncitizen driver’s license applicants.

If passed, this Act would undermine individual civil rights and prevent a whole bunch of immigrants (from those 11 states that have opted for issuing driving licenses to undocumented immigrants) from having their driver license. Would that make us more secure? Not in the streets, for sure.

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## Hello From Kimberly

My name is Kimberly Weinacht and I joined BWLAP in January as the OFP Project Attorney, working primarily out of the Hennepin County Domestic Abuse Service Center. I grew up in Omaha, Nebraska and attended Marquette University in Milwaukee, where I graduated with a double major in Criminology/Law Studies and Writing Intensive English. I then attended the University of Minnesota Law School, graduating in 1999. After law school, I clerked for the Hon. Bruce Peterson in Hennepin County and then entered private practice. My practice focused exclusively on family law issues, including custody, child protection, foster parent rights, and dissolutions.

My first "experience" with the topic of domestic violence was in high school when the National High School Mock Trial case centered around the issue of Battered Women's Syndrome. This experience prompted me to begin volunteering in a shelter in Omaha. I have since volunteered in shelters in both Milwaukee and the Twin Cities. While in law school I also participated in two clinics, one advocating for women in the OFP process and one prosecuting misdemeanor domestic assaults through the Minneapolis City Attorney's Office.

I am extremely excited about joining BWLAP and our Team has many plans for the future of our agency. One of our primary goals is to be a valuable resource for those involved in the victim/survivor community. I encourage you to call or email me with questions or comments.

"Act as if what you do makes a difference. It does." ~William James

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## Hello From Rana

Hello! As one of the newest members of the BWLAP team, I would like to take this opportunity to introduce myself. I joined BWLAP as a Legal Resources Program Manager (official title) in January of 2005, and I will be handling the housing project that Nicole Lindemyer worked so hard on.

I am a 2003 graduate of Northeastern University School of Law in Boston, Massachusetts. I decided at a very young age that I wanted to be an attorney and when I was in undergraduate school I found my calling in domestic violence. I chose Northeastern because of their work in domestic violence. While in Boston, I led a team of other graduate students in interviewing women in the emergency department of Boston Medical Center. We were conducting a study to see what women in the community thought about domestic violence. If either an interviewee or another patient was identified as a victim of domestic violence, I would speak to the person and advise her of her options. Then I worked at a domestic violence court in Boston helping victims of violence obtain restraining orders. I also worked at a legal services organization in their family law unit, for NOW Legal Defense and Education Fund and for a district attorney's office in the domestic violence unit.

BLS (before law school), well actually way BLS, I lived and graduated from high school in Bloomington, Minnesota. (That is my connection to Minnesota.) I then went to Iowa State University in Ames, Iowa, where I received my BS with distinction in Psychology with a minor in Women Studies in 1999. Iowa State is where I found my calling in the domestic violence movement. Through personal experiences, a sociology class and the OJ Simpson case, I became moved and determined to help victims/survivors of domestic violence through the law. At the time, I was told that no organizations existed that combined working with domestic violence victims and the law. I knew those people were wrong when I found out about BWLAP. I have wanted to work here ever since.

While in Iowa, I worked for two domestic violence shelters, one in Ames and one in Des Moines. While at those shelters, I preformed a number of duties. I answered phones, went to court hearings, held hands, cleaned bathrooms and mediated disputes. My last position was in Des Moines, where I collaborated with the probation office, batterers' education, the shelter and the county attorney's office to offer better services to victims/survivors of domestic violence whose batterers had been arrested more then once in seven years.

I am very excited to be back where I belong, doing what I love, at the place I have always wanted to be. I look forward to working with all of you. Please drop me a line if you have a question or just want to say "hello". I can be reached at 612-343-9844 or [rana@bwlap.org](mailto:rana@bwlap.org).

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### *The IRBWTF Conference*

The Immigrant and Refugee Battered Women Task Force present: "The IRBWTF 2005 Institute: A Two Part Series". Part One will be March 31st and April 1st, 2005 and Part Two will follow in September/October. This series will focus on a number of issues important to the immigrant and refugee population and the people who serve them. Some of the topics will be: the government's response to domestic violence against refugee and immigrant women in Minneapolis/St. Paul metropolitan area; VAWA; adjustment of status; U and T visas; parental kidnapping; family law; OFPs; HROs and the police response to immigrant's domestic violence calls. This series will be held in Minneapolis, at CLUES, 2700 East Lake Street, 2<sup>nd</sup> Floor, Minneapolis, MN 55406. To register call Gloria at (612) 343 9846 or e-mail her at [Gloria@bwlap.org](mailto:Gloria@bwlap.org).

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WEBSITE!  
WWW.BWLAP.ORG**

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## *Punto de Vista Latino*

Hoy quisiera transmitir alguno de los resultados del estudio publicado por Women's Foundation of Minnesota sobre la situación económica de las mujeres de color en Minnesota. Este estudio se llama "Status of Women of Color in Minnesota" ("Situación de las mujeres de color en Minnesota") y de dicho estudio fue extraído el cuadro que se transcribe a continuación.

### Estatus económico, empleo y educación

	Blancas	Africo Americanas	Latinas	Asia Americanas	Nativo Americanas
Salario anual promedio	\$ 32,000	\$ 28,500	\$ 23,500	\$ 28,700	\$ 26,500
Porcentaje del salario de 1 hombre en la misma posición	72%	64.5%	53.3%	65.0%	60.0%
Participación de las mujeres en la población laboral total	67.6%	67.5%	61.4%	61.2%	64%
Mujeres profesionales o en puestos de decisión	38.5%	29.6%	22.8%	32.6%	29.4%
Porcentaje de mujeres con Educación Universitaria (Colegios de dos o 4 años o Universidad)	34.9%	23.5%	18.5%	37.1%	20.2%
Porcentaje de mujeres con ingresos sobre la línea de pobreza	92.9%	72.2%	78.1%	85.4%	73.7%

A pesar de que todos conocemos lo que sucede en la realidad, en nuestro entorno, constatarlo con fríos e imparciales números duele. Duele pues todos sabemos que las mujeres trabajando en una posición determinada ganamos menos que un hombre en esa misma posición; todos sabemos que las mujeres de color sólo excepcionalmente alcanzan posiciones de dirección o liderazgo, etc, sin embargo estos números nos indican que, más allá de la lucha que las mujeres de color debemos librar, para las Latinas, esa lucha es más urgente y tal vez más ardua.

Somos nosotras las que detectamos el promedio de salario más bajo entre todas las mujeres de color, y también somos nosotras las que estamos más lejos de alcanzar un nivel de igualdad de remuneración con los hombres en la misma posición o puesto de trabajo. Somos nosotras las que detectamos el porcentaje más bajo de mujeres profesionales o en puestos de liderazgo. También somos nosotras las que, dentro del grupo de las que se consideran mujeres de color, tenemos el nivel más bajo de estudios académicos. **Sólo 18.5% de las mujeres latinas ha finalizado estudios en, al menos, un College de dos años.**

Por qué sucede ésto y qué podemos hacer para cambiar estos resultados? Sabemos que muchas son las causas para estos números tan negativos: falta de incentivos o medios materiales y/o morales para no abandonar los estudios, falta de un buen dominio del idioma ingles en algunos casos, embarazo precoz en otros, etc. Pero todos podemos estar de acuerdo en que debemos hacer algo para lograr una mejor situación económica y social en nuestra comunidad y para eso debemos hacer de ésto una prioridad.

Si algo bueno tienen estos estudios es que nos presentan la realidad como si la viéramos en un espejo. A todos los latinos nos desagrada la imagen que vemos en el espejo. Por eso hoy quiero invitar a las mujeres de la comunidad latina a reflexionar sobre estos números y pensar que grano de arena podemos aportar a nivel individual y colectivo para lograr un cambio que mejore las condiciones de vida de las mujeres Latinas.

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## Renter's Refund Reduction Bill

Governor Pawlenty is proposing to decrease the Property Tax Refund or what is commonly called the Renter's Credit when applied to renters in SF753 and HF660. A person becomes eligible for Renter's Credit when her property taxes reach a particular percentage of her income. Income is defined very broadly and includes most income. Also deductions are allowed for dependents, people over 65 and the disabled. Currently, if a renter's household income is less than 45,970 a year, and they meet other qualifications, they can qualify for the Renter's Credit. This credit allows renters, who qualify, to receive a refund from the state of 19% of their total rent paid with a maximum refund of \$1,310. Governor Pawlenty is proposing to decrease the percentage of total rent paid from 19% to 16% in 2007 FY and finally to 15% in 2008 FY.

What does this mean for our low income communities? For someone living in subsidized housing who pays \$4,134 in rent a year, means that she would receive \$148 LESS in 2008 than she would have received in 2004. For someone who pays market rate for her apartment at \$926 a month, means that she would receive \$311 LESS in 2008 than she would have received in 2004. Others will lose their Renter's Credit altogether. The Governor's office is specifically saying that the average refund will decrease from \$554 to \$465 and the number of people who qualify for the Credit will decrease from 274,875 to 262,241. The decrease in the average refund is important income for many people, including domestic violence victims, who use this money (which is received in August) to pay bills, buy clothes for their children for school, repair their cars, etc.

In a time when 22% of all renters in Minnesota are paying 50% of their income to housing, when affordable housing is almost impossible to find, when Section 8 is basically unavailable, when the Governor himself has stated his goal is to end chronic homelessness, it is not fair to propose a bill that will exclusively affect low-income Minnesotans. We need to tell Governor Pawlenty and our state representatives that they cannot balance the budget on the backs of the poor. Call or write the Governor and your state representatives and tell them that Renter's Credit is important to you. If you have stories about what you have spent your Renter's Credit on, let them know. If you live in Greater Minnesota, tell your representative how reducing the Renter's Credit will harm your communities. If you are interested in how you or your organization can be involved, have questions about Renter's Credit, want more information or have a story to tell, please call Rana at 612-343-9844 or e-mail her at rana@bwap.org.

### Would You Like to Receive Agents for Change Via E-mail?

If so, let us know! We can either e-mail each new addition of *Agents for Change* to you or let you know when the newsletter is posted on our website.

If you are interested in receiving this newsletter in electronic form instead of on paper, send an e-mail to [info@bwap.org](mailto:info@bwap.org) and let us know how you would like to receive the newsletter.

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BWLAP is a Minnesota-based, statewide, non-profit organization that provides legal information, consultation, training, litigation support, and policy development assistance to battered women, their advocates, civil/criminal justice, and social service systems.

MARK YOUR CALENDARS!

April 2005  
Board of Trustees Meeting

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★ Would you like to serve on ★  
★ BWLAP's Board? ★  
★ We are taking applications. If you are ★  
★ interested, please e-mail: ★  
★ info@bwlap.org ★  
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BWLAP extends its heartfelt  
gratitude to our funders:

It is only with the help of our funders that we may help others. *Thank you!*

- Department of Justice – Legal Assistance for Victims Grant
- Office of Justice Programs (ex-MCCVS)
- Minneapolis Foundation
- Bremer Foundation
- Bush Foundation
- Grotto Foundation
- Jay & Rose Phillips Foundation
- Women's Foundation
- Initiative Foundation
- Target Store
- Elmer and Eleanor Andersen Foundation
- Archie D. & Bertha Walker Foundation