

AGENTS FOR CHANGE

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Agents for Change
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Battered Women's Legal
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The S Word

"If I only knew then what I know now; I never would have left him."
Anonymous battered woman.

Society tells battered women to just leave their abusive relationship. People make statements like, "Why didn't she leave?" or "I never would put up with that kind of treatment." Society tells battered women and believes it themselves, that all a battered woman needs to do is leave the abuser and everything will be fine. If she would call the police, they would arrest him. She could then seek out and receive a restraining order. If he violated the restraining order, he would be arrested, charged, convicted and would go to jail. If they are married, she can simply divorce him. Society believes this is an easy process for the battered woman. That the battered woman will be heard, supported and believed about the abuse by service providers and the court system. Furthermore, she will obtain custody of the children and the batterer will be held responsible for his actions. Society has no idea.

Those who advocate for battered women know that once she reaches out for help, this often just starts another nightmare. Abusers are not often arrested, restraining orders are not granted, violations of restraining orders are not enforced, and batterers rarely spend time in jail. Child molesters get custody and good moms lose custody. Battered women are often put in an insurmountable catch-22; stay with the abuser and risk losing their children to child protection or leave the abuser and risk losing her children to the abuser.

It is common knowledge that no one calls BWLAP to state when things have gone well in the court system. Unfortunately, the staff only hears how things have gone horribly wrong. The stories are so numerous that these issues cannot be brushed aside. If society only knew what was really happening, what would be the reaction?

Why is it that when the domestic violence movement develops a theory, backed by solid evidence and statistics, that should help battered women protect themselves or their children, it always seems to be turned around on them? For example, children witnessing violence. However, when abusers develop a theory, backed by nothing, it is embraced? For example, parental alienation. Why is it that an abuser can coach a child on what to say and no one seems interested, but if the mother does the same act, she is penalized and could lose custody? Why are fathers judged by how great

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Upcoming Events

VAWA Stop
Conference
Nov. 13-15

Granite Falls, MN

Immigrant and Refugee
Battered Women's
Task Force
Annual Conference
Dec. 6-7th

Other Upcoming Events or Notices

The Women's Center in Red Wing had an Awareness Walk on October 13th. They partnered with 2 other victim service agencies and the community rallied around them. The mayor led the walk! Also, The Women's Center is very excited to be hosting their first dinner/silent auction to benefit the shelter. It is scheduled for Thursday, November 1st from 5:30-8pm. Miss Minnesota 2006 will be speaking along with 2 local survivors. The St. James Hotel has generously donated the use of their beautiful Summit for the event. It is sure to be a powerful evening! For more information, contact 651-385-8601.

The Crisis Resource Center in Baudette (Lake of the Woods County), has started a support group for self mutilators. The support group is held once a month two hours on the first Wednesday of the month. For more information call 218-634-3233

From McLeod Alliance:

McLeod Alliance for Victims of Domestic Violence recently relocated our offices. The new location is 101 Main St. S, Suite 201, in Hutchinson. If you are ever in the area of Hutchinson, please come and visit our new place. We are excited to be here, and feel it is a great location for our clients.

As you know October is Domestic Violence Awareness Month. Unfortunately, we will not be having the Candlelight Vigil this year, due to poor attendance in the past. Instead, we are having a Purple ribbon campaign. Hutchinson Middle School sewing class students created about 20 carrying bags. United Way asked Target stores to select a non profit organization to volunteer at during their annual campaign. Target stores selected McLeod Alliance! Their employees made hundreds of purple ribbons. These were then delivered to our local Salons and are to be worn by stylist all over Hutchinson. In these bags were ribbons, brochures and business cards to give out to clients if needed. We hope the word gets out that we are here to help.

Cornerstone's Stalking Response Program

Cornerstone received a two-year grant to develop a protocol in handling stalking cases within a coordinated community response. The team has decided to make the protocol flexible enough for any agency in Minnesota to use. In addition, Cornerstone is providing supportive services to victims of stalking through direct service and support group. One on one time with a stalking victim will include, but not be limited to, assisting the client with record-keeping, knowledge of the law, and safety planning. Cornerstone will be rolling out training on Stalking Response in 2008 which will be available to law enforcement, prosecution, advocates and other judicial stakeholders. Cornerstone is very pleased to be able to offer this service to victims of stalking who otherwise may not have been able to find services specific to their needs. Please refer your clients to our Stalking Response Program Intake/Information Line at 952-646-6570. The demographics for Support Group will be Hennepin County but the Stalking Response Program will answer a call from a victim of stalking, or advocates needing information from anywhere in the State of Minnesota.

Minnesota Vikings Cheerleaders and DOVE Honor 2006 Domestic Violence Homicide Victims at Viking-Packer Game.

If you are a Vikings fan, (if you live in Minnesota, chances are you are) then you would have found yourself comfortably placed in front of the television on September 30th for one of Minnesota's biggest rivalry games against the Green Bay Packers. The stadium of purple, gold and cheese heads was full of energy and tension. The game was momentarily interrupted to recognize Brett Favre for breaking Dan Marino's record of 420 touchdown passes (NFL's all time record for touchdown passes).

Among all the sweat, tension and record breaking events, there was something else taking place on the sidelines. The Minnesota Viking Cheerleaders were honoring all the Minnesotans who lost their lives to domestic violence in 2006—there were 33. Every cheerleader wore a gold button with purple writing which displayed the name and age of each Minnesota victim. The buttons were donated courtesy of the White Earth DOVE Program (a program that empowers and serves victims into becoming survivors in the areas of domestic violence, sexual assault and general crime). Each year the names and ages of Minnesotans who lost their lives to domestic violence are released in a femicide report courtesy of the Minnesota Coalition for Battered Women. (To view the femicide report please go to www.mcbw.org).

Jodie Sunderland (DOVE advocate) contacted the head coach—Tami Krause with the idea, and Tami agreed it was a great cause to support. With the participation and collaboration of the Vikings Cheerleaders, Tami Krause, Jodie Sunderland and the DOVE Program, the victims were honored in a huge way. The September 30th event marked the beginning of October—Domestic Violence Awareness Month.

The DOVE Program would like to thank Tami Krause and the Minnesota Vikings Cheerleaders for their participation and for supporting our mission to spread awareness about domestic violence, and for honoring the victims.

Author ~ Jodie Sunderland

The Immigrant and Refugee Battered Women Task Force

is facilitating its 2007 Training Institute

"Advocating Across Borders: Serving Immigrants and Refugees Survivors of Domestic Violence"

December 6th and 7th, 2007

This year the event features a special guest trainer, Ms. Sonia Perras Konrad. Ms. Konrad is the Director of the Mujeres Unidas por un Nuevo Amanecer (MUNA) Legal Clinic, of the Iowa Coalition Against Domestic Violence; which assists battered immigrant women and children with a wide range of immigration and family law issues. Ms. Konrad also co-directs ASISTA, Technical Assistance for Immigrant Survivors, a nation-wide program that provides immigration technical assistance to front line advocates and attorneys on advanced issues arising out of the legal representation of immigrant survivors of domestic violence, sexual assault, and human trafficking. Topics that will be addressed are: Innovative Community Organizing to Better Serve Immigrants, The Intersection Between Family and Immigration Law, U Visa and its new Regulations, Gender Based Asylum, Public Benefits, Housing Issues, etc. Besides counting with great presenters and speakers, such as Lupe Serrano, Leonore Millibergity, Lonna Stevens, Rachel Sibley and many others,

For more information please contact Gloria Fressia at 612-343-9846.

they could be in the future and mothers are judged by how bad they were in the past? Why does the court accept good enough dads, but only super moms? Why are systems professional trained in the importance of fathers, but never in the importance of mothers? Or for that matter, the importance of a loving, caring, safe parent?

I know the answers to the questions. The problem is I have been told the answer is not a problem anymore. That my answer has been fixed and it does not exist. My answer is sexism. Yes, the s-word. When I tell people the reason for such disparate treatment in the court system is because of sexism, most people just smile at me, pat me on the head and say, "Oh honey, sexism does not exist anymore." I disagree! Sexism is alive and well and even more nefarious then before. Therefore, how do you begin to fight something that many people do not believe exists?

The first step for action needs to be that the entire domestic violence movement is on the same page. In the movement we need to recognize that sexism is the primary cause of domestic violence. It is the reason domestic violence continues to exist and it is the reason why battered women are being treated unfairly in the court system. We need to say it out loud. We need to train our new volunteers and advocates about sexism and the affects on battered women. We need to hold ourselves and others accountable by asking the hard question, "Would the outcome have been different if man did the same action?"

Second, I believe that we need a full audit of the court system. This audit would include criminal, family and juvenile court cases. The audit would examine closed court cases and compare the decisions. I also recognize that confidentiality issues of juvenile and paternity court could make this a difficult endeavor. However, I have heard too many stories from battered women who lost their children in a child protection case because of domestic violence, only to have to custody of children given to the abuser. How is this possible? How often does this happen? In family court, how often is the father asking for custody and what happens when he does? What happens when domestic violence is raised? Is the family court making their own "findings of domestic abuse" or does the family court rely solely on criminal or OFP findings? The domestic violence movement needs to find these answers and society deserves to be informed on what is happening behind the courtroom door.

The domestic violence movement has moved mountains in the last 35 years. We have moved violence against women out of the home and into the consciences of the public. We have changed policies, procedures, laws and educated millions of people to "get it." But we cannot sit on our laurels. It is time now to address the real elephant in the room and return again to fighting sexism. It is only then that we will be able to end violence against women.

Do you need technical assistance with Minnesota's current domestic violence issues?
Check out BWLAP's
Website
www.bwlap.org

Punto de Vista Latino

Algunos hechos y estadísticas sobre niños que presencian o padecen violencia doméstica.*

Las mujeres que son abusadas suelen hacer cualquier sacrificio con tal de proteger a sus hijos menores del abusador. Los estudios desarrollados al respecto han mostrados que, sin lugar a dudas, la madre/padre no abusador, constituye el factor de protección más importante para el niño expuesto a la brutalidad de la violencia doméstica. Ello no significa ser testigo de violencia doméstica, no vaya a dejar en el menor una profunda y dolorosa huella. Como mitigar esa huella, ha sido la gran pregunta y hoy no existe respuesta y tal vez nunca la halla, simplemente porque todos los casos son diferentes y lo que los hace diferentes son elementos trascendentales para el desarrollo individual.

A continuación se dan algunas cifras que nos ayudan a comprender la dimensión de este problema.

1. Se ha dicho por el Consejo Consultor de la Violencia Infantil en los Estados Unidos, que la violencia doméstica es la mayor causa de abuso infantil en este país.
2. Existen estudios que muestran que entre 3.3 y 10 millones de niños por año, son testigos de actos de violencia doméstica contra un familiar o ser querido.
3. De acuerdo con encuestas llevadas a cabo en los Estados Unidos entre más de 6,000 familias americanas, el 50% de los hombres abusadores, también abusan de sus hijos menores.
4. Algo más de la mitad de las mujeres víctimas de violencia doméstica vive en hogares con niños menores de 12 años.
5. Hombres que cuando niños fueron testigos de violencia doméstica en su hogar, tienen el doble de posibilidades de convertirse en abusadores.
6. Un estudio que abarcó mas de dos mil niños y adolescentes, constató que, cuanto más cercana la exposición a la violencia doméstica, más son las posibilidades de que el niño reproduzca la conducta violenta cuando adulto. En otras palabras, este estudio sugiere que cuanto más pronto la mujer se aleja del abusador, más decrecen las probabilidades de que sus hijos se conviertan en abusadores, una vez adultos.
7. Los niños que son testigos de violencia doméstica pueden exhibir comportamientos agresivos en la escuela y pueden desarrollar enfermedades como la depresión y la ansiedad, entre otras. Estos niños también son altamente vulnerables a desarrollar adicciones a drogas ilegales y al alcohol, huir de su casa, ser víctimas de prostitución infantil y personificar crímenes sexuales.
8. Un estudio reciente realizado con familias de bajos ingresos en Michigan encontró que cerca de la mitad (46.7 %) de los niños habían sido testigos de por lo menos un acto de violencia, sea esta severa o no.
9. Se comprobó también que estos niños sufren de distintos desórdenes, como por ejemplo distintos tipos de alergias, asma, problemas gastrointestinales, frecuentes dolores de cabeza y hasta gripe.

* Datos tomados de la publicación sobre el tema “The Facts on Children and Domestic Violence” en la pagina web de Family Violence Prevention Fund, consultada el 10/17/07.

**CHECK OUT OUR
WEBSITE!
WWW.BWLAP.ORG**

Long-Awaited U Visa Regulations Released

After a seven year delay, the Department of Homeland Security has finally released regulations implementing the U nonimmigrant status. This status provides a strong protection for alien victims who often fear reporting crimes of violence and their perpetrators to law enforcement for fear of deportation. The status also prevents perpetrators of violence from using immigration laws as a tool for controlling their victims.

The new interim regulations establish the necessary application and eligibility requirements and relevant definitions for the process of acquiring the U visa. The visa allows alien victims of certain qualifying criminal activity to obtain temporary immigrant benefits.

The U immigrant status, created as a part of the Battered Immigrant Women Protection Act of 2000, has remained legally unenforceable up until the recent release of the regulations on September 17, 2007. Before this, victims were only able to obtain interim relief under the U immigrant status. Under the interim relief, victims remained undocumented but were granted temporary legal authorization to work within the country.

Victims who were already granted interim relief by the effective date of these new regulations are now required to file the Form I-918 within 180 days. U.S. Citizenship and Immigration Services will reevaluate and terminate any cases of interim relief who fail to file a new I-918 within the required 180 days. This short period for filing requires that advocates reach out to immigrant communities to ensure that victims do not lose their status.

The visa lasts for four years, but allows for an extension upon a showing of need. A victim may also be able to obtain a green card three years after obtaining the visa. There is a 10,000 cap on the number of U visas issued per year. Once that cap has been met, victims will be placed on a waitlist. There is no cap on number of family members granted the status.

The U nonimmigrant status is available to those victims of qualified criminal activity who suffer substantial mental or physical abuse as a result of that criminal activity, who have information about the criminal activity, and have aided or are likely to aid law enforcement in investigation or prosecution of the criminal activity.

The qualifying crimes include crimes such as trafficking, murder, rape, and domestic violence, among many others, and must either be a violation of United States law or have occurred within the United States.

The process requires the victim to obtain certification from a law enforcement agency that they are a victim of one of the qualified crimes and that they meet the requirements for helping in the criminal investigation.

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Join us in our fall fundraiser At no financial cost to you, support a good cause!

Simply hop on line and use www.goodsearch.com, a web search page powered by Yahoo and featured in *Oprah* magazine. Every time you search on this site, it will raise money for the Battered Women's Legal Advocacy Project. Just remember to type in the agency's name and 1 penny per search will go to the agency.

Also, with the holiday's right around the corner, you can buy presents and support BWLAP every time you make a purchase online. Simply click on "Who Do You Shop For?" on www.goodsearch.com, enter "Battered Women's Legal Advocacy Project" under "Who Do You Goodserach For?" and then shop away. Hundred's of participating companies, such as Barnes & Noble, Target and amazon.com will contribute 1-2% to BWLAP. Are you flying over the holidays? Those Orbitz.com air tickets will help BWLAP.

Struggling to decide on what to get your Great Aunt Edna or your Father this holiday season? Or are you the one of those "difficult to buy for"? Why not make a donation in their name or request your gift givers, i.e. family and friends to make a donation to BWLAP in your name in lieu of a traditional gift? Both the gift giver and receiver will be sent a thank you note from BWLAP.

Our goal is to raise \$30,000 by December 31st, and with your help we can meet and exceed that amount! If you'd rather give a tax deductible donation, don't hesitate to send a check to the BWLAP at 1611 Park Avenue, Suite 2, Minneapolis, MN 55404.

JOIN BWLAP'S LIST-SERVE FOR LEGAL ADVOCATES

BWLAP has re-launched its list-serve for Minnesota legal advocates! The goal of this new email list is to connect advocates to each other, share new resources, and strategize about solutions to common problems. For more info call Michelle at (612) 343-9845 or email to michelle@bwlap.org

TO SIGN UP: Contact Michelle at michelle@bwlap.org with your preferred email address.

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The status can also extend to qualifying family members of the principal petitioner for the U status. Qualifying family members may include your spouse, parents, unmarried children under the age of 21, and unmarried siblings under the age of 18.

Significantly, the regulations also include U nonimmigrant status recipients among those who are able to seek a waiver of the documentary requirements for gaining admission into the United States.

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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.

Cell Phone Donations

BWLAP is still collecting old cell phones. Many of you have old cell phones gathering dust at the bottom of a desk drawer. These phones can be put to good use and you may also be able to get a tax deduction based on the value of the phone you donate. Please consider donating cell phones that you no longer use, no matter the condition. Drop off used phones at our office or you can mail them to us.

For more information, please contact BWLAP at info@bwlap.org or visit our website at www.bwlap.org.

Thank you!

BWLAP extends its heartfelt gratitude to our funders:

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

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