



In Touch

Nebraska Domestic Violence Sexual Assault Coalition

July/August 2010

It isn't enough to talk about peace. One must work at it.

-Eleanor Roosevelt,
Civil Rights Advocate

The Tribal Law and Order Act of 2010

The President just signed the Tribal Law and Order Act - an important step to help the Federal Government better address the unique public safety challenges that confront tribal communities.

According to a Department of Justice report, Native American women suffer from violent crime at a rate three and a half times greater than the national average. Astoundingly, one in three Native American women will be raped in their lifetimes. At the White House Tribal Nations Conference in November 2009, President Obama stated that this shocking figure "is an assault on our national conscience that we can no longer ignore."

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Congress took an important step to improve the lives of Native American women by passing the Tribal Law and Order Act of 2010. The Act includes a strong emphasis on decreasing violence against women in Native communities.

Victims of domestic violence and sexual assault will now more often encounter authorities who have been trained to handle such cases. The Act expands training of tribal enforcement officers on the best ways to interview victims of domestic and sexual violence and the importance of collecting evidence to improve rates of conviction. The Director of Indian Health Services will coordinate with the Department of Justice, Tribes, Tribal organizations and urban Indian organizations to develop standardized sexual assault policies and protocols.

Special Assistant US Attorneys will be deputized under the Act to prosecute reservation crimes in Federal courts, and tribes will be given greater authority to hold perpetrators accountable. These provisions help to increase communication between tribal law enforcement, Federal authorities and the court system. As numbers of convictions grow, more women may be willing to report the abuses against them so that their abusers may be prosecuted.

The Act focuses not only on prosecution but also on prevention. It reauthorizes and improves programs to prevent and treat alcohol and substance abuse, as well as programs that improve opportunities for at-risk Indian youth. Getting men and boys involved in stopping the violence against women and girls is an important step to ending it everywhere, giving youth a chance to change their own futures.

Condensed from *The Tribal Law and Order Act of 2010: A Step Forward for Native Women*, as posted by Lynn Rosenthal, White House Advisor on Violence Against Women. Retrieved August 15, 2010, <http://www.whitehouse.gov/blog/2010/07/29/tribal-law-and-order-act-2010-a-step-forward-native-women>

Step Up! Speak Out! - Prevention Efforts in Nebraska

This is an exciting time in our state in terms of prevention of dating violence, domestic violence, sexual assault, and stalking. The state legislation recently passed the **Lindsay Ann Burke Act**, which focuses on dating violence. The intent is to ensure that each school district has a policy regarding dating violence. This legislation also provides an opportunity for Nebraska to focus more on primary prevention. There are great programs that run across the state that work tirelessly to engage their communities in the prevention of sexual, domestic, and dating violence. This legislation will create a strengthened relationship between the programs and the school districts.

Let's talk though for a moment about primary prevention. Primary prevention is stopping violence before it occurs. This translates to activities that address changing people's knowledge, attitudes, behaviors and beliefs surrounding violence. The domestic violence/sexual assault programs across the state work with parents, youth, social and gender norms, healthy intervention. To assist the is revamping the *Step Up Speak* this campaign has focused on the women. While this is an important believes that focusing the campaign on bystander intervention would better unify the programs and the new legislation. This website will be launched in the fall of this school year. Each day every person has an opportunity to step up and speak out against violence. This campaign will provide tools and resources to assist people in their individual efforts to confront and end violence.

Primary prevention is the stopping of violence before it occurs.

schools and communities to address relationships, and bystander programs with their efforts, the Coalition *Out* website and campaign. In the past media and images of violence against piece of prevention, the Coalition

Along with all that is happening on prevention in Nebraska, the Coalition also completed the sexual violence prevention state plan. A state plan is required of all states through the Centers of Disease Control – Injury and Prevention. Nebraska's state plan is an eight year plan that will address many different areas of prevention throughout the state. The Coalition will launch the state plan in November during a summit to bring together key stakeholders from across the state to formulate a plan of how to best achieve the goals of the state plan.

If you would like more information about prevention or the prevention summit please contact Rachel at the Coalition, rachelo@ndvsac.org or 402-476-6265.

Selected Resources on Prevention

Websites:

- ✓ PreventConnect, www.preventconnect.org
- ✓ ChooseRespect, www.cdc.gov/chooserespect
- ✓ Can I Kiss You?: The Date Safe Project, www.canikissyou.com
- ✓ VETO Violence (Violence Education Tools Online), www.vetoviolenace.org

Books available from the Coalition's Lending Library:

- ✓ *Prevention is Primary: Strategies for Community Well-Being*, 2007, Cohen, Chavez, Chehimi
- ✓ *Engaging Bystanders in Sexual Violence Prevention*, 2008, Tabachnick/National Sexual Violence Resource Center
- ✓ *May I Kiss You?: A Candid Look at Dating, Communication, Respect, & Sexual Assault Awareness*, Mike Domitriz
- ✓ *So Sexy So Soon: The New Sexualized Childhood and What Parents Can Do to Protect Their Kids*, 2008, Levin, Kilbourne

Same-Sex Couples Are Covered by the Violence Against Women Act

Gay couples fall within the scope of the protections of the Violence Against Women Act (VAWA), the Justice Department has clarified. Federal prosecutors may use the law in cases of interstate stalking and domestic violence, regardless of the victim or defendant's sex. "The text, relevant case law and legislative history all support the conclusion" that the law's criminal provisions "apply when the offender and the victim are the same sex," wrote David J. Barron, the acting Assistant Attorney General of the Justice Department's Office of Legal Counsel. The office's decision will now be used as legal guidance for federal prosecutors across the country.

Legal Momentum, along with countless other organizations, worked tirelessly to get the VAWA passed in 1994, and reauthorized in 2000 and 2005. A third reauthorization should occur next year. The law made major strides towards protecting victims of violence, including making it a federal crime to cross state lines with the intent of committing domestic violence, stalking, or violating a protection order. However, in its passage, the VAWA also omitted significant components of the law that Legal Momentum had supported and helped draft. One of the vital components was struck down by the Supreme Court in 2000. The provision allowed individuals to sue their attackers in federal court based on violation of civil rights. This ruling fails to understand that rape is a sometimes a biased crime and an attack against women.

In addition, the VAWA did not specifically address the enforcement of the law in same-sex relationships. In the midst of an ongoing, national debate over same-sex marriage, and the 1996 Defense of Marriage Act which defined terms such as "marriage" and "spouse" as categories only existing between a man and woman, the applicability of VAWA to same-sex relationships became blurred. However, in the memorandum, Mr. Barron explains that the tone and gender-neutral language of the VAWA reflects Congress' original intention for the laws to cover both heterosexual and same-sex couples. Additionally, the VAWA includes terms not included in the Defense of Marriage Act, such as "dating partner" and "intimate partner." These terms apply equally to same-sex relationships as heterosexual ones. "It is true that the statute is entitled the Violence Against Women Act, but other provisions of the Act make clear it applies to conduct perpetrated against male, as well as female, victims," Mr. Barron wrote.

Legal Momentum hails the Justice Department's decision as a critical step towards the successful protection of victims of domestic violence, sexual assault, stalking, and dating violence. In the work to pass VAWA, Legal Momentum drafted and advocated for provisions that applied to all individuals, regardless of their gender or sexual identity. This long welcome clarification will dramatically alter countless lives, and must be disseminated and implemented swiftly and effectively.

Editor's Note: The Violence Against Women Act is currently slated to be reauthorized in 2011. The Coalition, as well as other state Coalitions and national organizations such as Legal Momentum, will work to pass this vital legislation once again.



Source: Legal Momentum website, <http://legalmomentum.typepad.com/blog/2010/06/samesex-couples-now-protected-under-violence-against-women-act.html> (July 30, 2010), and Legal Momentum In Brief, received via email June 16, 2010 from I. Garza.

20th Anniversary of the Americans with Disabilities Act

July 26, 2010 is the 20th anniversary of the Americans with Disabilities Act (ADA), which protects over 50 million Americans. Although many obstacles have been removed because of the ADA, people with disabilities still face barriers to good health.

Over 50 million Americans, or 1 in 5 people, are living with at least one disability, and most Americans will experience a disability some time during the course of their lives. These Americans are protected under the Americans with Disabilities Act (ADA), which has helped remove or reduce many social and physical barriers for people with disabilities.

On July 26, 2010, the 20th anniversary of the ADA was celebrated. Signed into law by President George H. Bush, the ADA protects the civil rights of people with disabilities. The legislation established a clear and concise national mandate for the elimination of discrimination against individuals with disabilities. Over the last 20 years, the ADA has expanded opportunities for individuals in the community by reducing barriers, changing perceptions, and increasing participation in community life.

ADA guarantees equal opportunity for individuals with disabilities in:

- ✓ Employment
- ✓ Public accommodations
- ✓ Transportation
- ✓ State and local government services
- ✓ Telecommunications

Since the ADA was enacted in 1990, opportunities have been expanded for people with disabilities to be more empowered, independent, active, and contributing consumers and members of the workforce and their communities. For example, people with disabilities go to school and attend places of worship. They also vote, marry, have children, work, and play sports. However, more work is needed to be done to enable people with disabilities to become even more independent and involved in their world.

Source: Retrieved August 3, 2010 from <http://www.cdc.gov/Features/ADAAnniversary/>

Save the Date:

Understanding and Responding to Sexual Assault and Stalking



The Nebraska State Patrol will host a conference September 14-15 in Kearney, *Understanding and Responding to Sexual Assault and Stalking*. The conference meets requirements for continuing education units.

Sarah Balcom, Domestic Violence Program Coordinator with the Coalition, will be presenting at the conference.

For more information, contact Kimberly Boyd, Domestic Violence/Sexual Assault Program, Nebraska State Patrol, 402-471-1306 or Kimberly.Boyd@nebraska.gov.

Housing and Sexual Violence

The National Sexual Violence Resource Center has released a report from a national survey on sexual violence and housing. The goal of the survey was to obtain data for three primary purposes: 1. further the understanding of the intersections between sexual violence, housing, and homelessness; 2. help to identify the needs of victims and advocates around housing issues; and 3. help to inform policy and programmatic strategies.

To read the entire report, visit www.nsvrc.org.

Over two hundred individuals (239) responded to the survey. The largest percentage of respondents, 59%, identified as advocates at rape crisis centers. Other respondents included social services workers, victim advocates in law enforcement, state domestic violence or sexual assault Coalitions, homeless shelters, therapists, youth advocates, medical professionals, and others. Thirty-three states (33), including Nebraska, and one US territory were represented.

Quantitative findings

- ✓ One third of respondents report that up to 20% of victims and survivors struggle to find or keep housing because of sexual violence.
- ✓ Over 1/3 of respondents report that up to 20% of victims & survivors became homeless as a result of sexual violence.
- ✓ Twenty percent of respondents report that between 61% - 80% of victims were sexually assaulted where they were living.
- ✓ The most common forms of sexual violence reported included : Rape (86%), Child sexual assault (78%), Marital/partner rape (76%), Incest (73%), Acquaintance rape (70%), Date rape (67%).

Qualitative findings

- Participants shared responses depicting experiences of sexual violence survivors. Common themes include:
- ✓ non-offending parents & children losing their homes after perpetrators of child sexual abuse (who are also main breadwinners) leave the home or are incarcerated;
 - ✓ landlords being unresponsive in making residences physically safe and secure;
 - ✓ unsafe living environments contributing to rape and other crimes, i.e., robbery;
 - ✓ lack of awareness and sensitivity about sexual violence among property owners/landlords;
 - ✓ sexual exploitation of tenants by landlords;
 - ✓ victims/survivors having inadequate funds to break leases and secure alternative housing;
 - ✓ victims/survivors couch-surfing and living out of car because of inability to secure safe housing; and
 - ✓ teen victims/survivors being kicked out of their homes by parents after reporting child sexual abuse.

Future Directions

Respondents identified a variety of areas for improvement that would increase protections and support for survivors. These areas related to policy development included:

- ✓ non-discrimination protections related to evictions, terminations, and denials of applications;
- ✓ priority status when applying for subsidized housing;
- ✓ emergency shelter options for sexual assault survivors;
- ✓ enforcement of habitability (i.e., repairs of unsafe living conditions);
- ✓ relocation funds for survivors;
- ✓ supportive sexual assault services, including emergency shelter options; and
- ✓ access to public and private housing options.

What's New at the Coalition?

National Advocacy Day in Washington D.C.



In June, **Lynne Lange** and **Robert Sanford** participated in the National Network to End Domestic Violence's Advocacy Day. They were joined by Renita Tyrance from the People's City Mission in Lincoln, who is a member of national Women of Color Task Force.

While in DC, the group met with Nebraska politicians and received updates on federal initiatives.

For more information, contact Lynne (ExecutiveDirector@ndvsac.org) or Robert (rsanford@ndvsac.org).

Coalition Anniversaries

The following staff recently celebrated anniversaries with the Coalition. Congratulations!

- Amanda Hanner, 1 year
- Jim Ingram, 1 year
- Rachel Olive, 1 year
- Kellie Draper, 6 years
- Angela Rystrom, 6 years
- Robert Sanford, 6 years
- Michelle Zinke, 10 years

Coalition Staff Participate in National Initiatives

Rachel Olive was asked to present at the national Rape Prevention Education (RPE) meeting in California in September. She will be part of a panel that highlights promising practices in prevention work. The RPE program focuses on strategies and activities related to primary prevention of sexual violence. It is funded by the Centers of Disease Control and Prevention.

Michelle Zinke was asked to participate in two national publications in recent months. She was interviewed as part of an article on domestic violence, children, and court appointed special advocates. The article was written by Z. Ruby White Starr, with the National Council of Juvenile and Family Court Judges - Family Violence Department. It was included in the Summer 2010 issue of *The Connection*, a magazine distributed nationally by the National CASA Association. *Gwen Hurst Anderson*, Nebraska CASA Association, was also interviewed for the article.

Michelle was also asked to participate in a book review team of a national author and consultant on domestic violence and sexual assault, Reverend Al Miles. Approximately 10 people across the nation were asked to review the entire book and provide suggestions regarding content and resources. The book is a revised version of an earlier publication, *Domestic Violence: What Every Pastor Needs to Know*. The book is still in the editing process and has not yet been printed.

Chris Carberry and **Robert Sanford** have also presented at national conferences in the past year. Chris was part of a panel highlighting sexual assault services and responses in rural communities and Robert was part of a panel on specialized alternative dispute resolution and the use of mediators in custody cases.

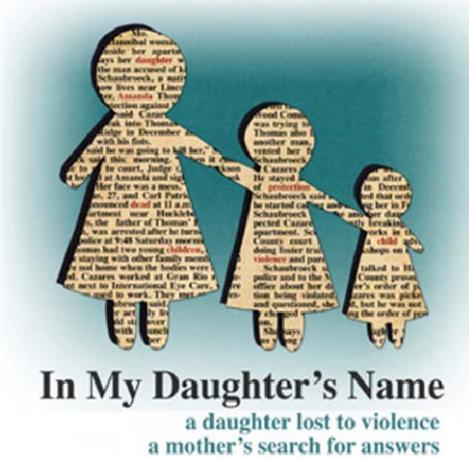
What's New at the Coalition?

In My Daughter's Name: A New Play on Domestic Violence

The Angels Theatre Company has created a new play on domestic violence, *In My Daughter's Name*. Written by Becky Key Boesen, the play is based on a true story.

Several Coalition staff, as well as staff from Voices of Hope, have collaborated with The Angels Theatre Company on this project. Another partner is the Lied Center for the Performing Arts. The play will be performed in The Johnny Carson Theatre at the Lied. Performance dates are October 22-24, 26-29 at 7:30pm and October 24 at 2:00pm. Please plan to attend a performance and support this awareness opportunity.

For more information, contact Amanda (amandah@ndvsac.org), Rachel (rachelo@ndvsac.org), or Michelle (mzinke@ndvsac.org).



New Resources at the Coalition

The Coalition maintains a lending library with numerous books, videos, curriculums, training manuals and articles. Materials from the lending library are available to anyone living in the state of Nebraska. Materials are typically lent for approximately four weeks at a time. Arrangements can be made to keep the resource for longer if needed.

If you would like help deciding on a resource to borrow, please contact the Coalition and the appropriate staff person will offer suggestions. You can also stop by the Coalition and review resources or speak directly with a staff person. If you know the resource that you'd like to borrow, call or email Angela at arystrom@ndvsac.org or 402-476-6256.

Recent additions include the following resources.

Cut It Out! Salons Against Domestic Violence: A Manual for Educating Salon Professionals on Domestic Abuse

Sponsoring Partners: National Cosmetology Association, Clairol Professional, Southern Living and Home, 2004

Kit includes: Educational Seminar (DVD & VHS), Powerpoint and other tools and resources, facilitator's guide, instruction manual, and participant guide.

Our Rights Right Now!

Illinois Imagines Project, 2010

This toolkit is to improve services to women with disabilities who have been victims of sexual violence. It contains five modules: the overview guide; guide for disability service agencies, guide for rape crisis centers, women with disabilities and sexual violence education guide, and multimedia.

NEBRASKA DOMESTIC VIOLENCE
SEXUAL ASSAULT COALITION
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Mark Your Calendar

Upcoming Events

Nebraska

Sept 8 Abuse in Later Life, NDVSAC & NE Attorney General's Office, Lincoln, 402-476-6256
Sept 9-10 Directors Days, Grand Island, NDVSAC, 402-476-6256
Sept 11 NDVSAC Board Meeting, Grand Island, 402-476-6256
Sept 16 Cultural Outreach Meeting, Location TBA, NDVSAC, 308-324-6256
Sept 17 Duluth Model Training, Location TBA, Family Violence Council, 402-489-9292
Sept 20-22 Fundamentals of Advocacy Part I, North Platte, NDVSAC, 402-476-6256
Oct 13 Batterer Intervention Program Sharing Day (Tentative), Location TBA, Family Violence Council, 402-489-9292
Oct 22-29 In My Daughter's Name, Lincoln, Angels Theatre Company, Voices of Hope, NDVSAC, 402-476-6256
Oct 26-28 Fundamentals of Advocacy Part II, North Platte, NDVSAC, 402-476-6256

National

Aug 23-24 Ending Violence Against Native Women, Rapid City, SD, Sacred Circle, 877-RED-ROAD
Sept 1-3 National Sexual Assault Conference, Los Angeles, CA, NSVRC, www.nsvrc.org
Sept 16 Renewing Your Spirit Women's Gathering, Grand Rapids, MI, Sacred Circle, 877-RED-ROAD