

**Governor's Council on Domestic Abuse
October 13, 2021**

Present: Senator Andre Jacque, Justine Rufus, Susan Sippel, Melissa Baldauff, Susan Perry, Alena Taylor, Nela Kalpic, Rosalind McClain, Patricia Ninmann, Tammie Xiong, Milly Gonzales, Senator Melissa Agard

Excused: Representative Lisa Subeck, Justine Rufus

Guests: Amber Peterson, Jenna Gormal (End Domestic Abuse WI), Tegan Swanson (End Domestic Abuse WI), Marianne Rosen (DCF), Kari LaScala (End Domestic Abuse WI), Kelsey Mullins (End Domestic Abuse WI), Shira Phelps (OCVS), Aaron Collins (Chief of Staff for Agard)

Staff: Kaitlin Tolliver/Stacey Cicero

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Call to Order and Approval of Minutes

Sue Perry, co-chair, called the meeting to order at 9:05 a.m. This meeting was conducted virtually due to coronavirus (COVID-19) restrictions. The minutes of the July 2021 meeting were reviewed and approved.

Presentation on DCF Domestic Abuse Grant Program Updates

No Report

Committee Reports

Access Committee:

The Access Committee has been experiencing growing pains and has lost its long time Co-Chair. The Committee is currently searching for leadership, re-grouping and moving forward. Current committee members are actively recruiting new members.

Budget Committee:

The Budget Committee has expanded to prepare for reviewing the funding formula for the DCF Basic Services grant program. DCF Procurement has requested that the Basic Services grant program be distributed via competitive RFP. Currently it is a continuation application with funding formula (not a competitive RFP like every other grant program). DCF will be partnering with End Abuse and directors to evaluate, not only Basic Services but, the entire DCF grant program. The Budget Committee will then need to recommend funding options for whatever is established.

The Budget Committee reviewed the current funding formula and began a discussion regarding what different factors should influence the funding formula. It is looking like funds will first be distributed regionally through a formula and then, through the application process, distributed to awarded agencies. The Committee will be meeting more regularly in the upcoming months.

Legislative and Policy Committee:

The Committee has switched gears and is now focusing on children's exposure to domestic violence. Three letters from women who formed a group called Moms and Kids Surviving Abuse were read by the committee.

Legislative Update

Jenna Gormal from End Abuse provided a legislative update (attached).

Senator Melissa Agard: provided updates on SB 71 storage and processing of sexual assault kits and SB 94 tracking of sexual assault kits; both are moving forward; have passed the Senate and are moving through the Assembly. Continues to work on a bill for teen dating violence and healthy relationships, not yet introduced – hopefully soon.

Sheltering Survivors of Human Trafficking

Update from Shira Phelps, Office of Crime Victim Services (OVCS)

Shira shared a statement that was made by DCF, DOJ, End Abuse and WCASA regarding Assisting Human Trafficking Survivors in Wisconsin: Statement of Support, Intention and Expectations. (Attached) The statement discusses the best practices for domestic violence shelters and provides direction and guidance to programs working with trafficking victims. Discussion on best way to share this statement.

Governor's Council on Domestic Abuse Co-Chair

Sue Perry called for nominees for the Co-Chair position. Sue Sippel volunteered. Motion was made by Melissa Baldauff, second by Senator Andre Jacque to approve Sue Sippel as the Co-Chair of the Council. All aye. Motion carried.

Meeting Schedule and Topics for 2022

Meetings will be held on February 9, April 13, July 13 and October 12

Potential discussion topics: impact of Covid on programs and services; batterers treatment updates; funding needs for programs, Afgan refugee services/funding/language access; missing and murdered indigenous women; working with DV victims with guardians/mental health – Disability Rights WI; intersectional work with Milwaukee programs; impact of DV on the mental and physical health of children birth to 5; DV Housing First projects; ideas from End Abuse.

Award Ceremony

Discussed power point and assigned speaking pieces.

Public Comments

None

Adjournment

The meeting adjourned at 11:32 am.

Assisting Human Trafficking Survivors in Wisconsin: Statement of Support, Intention and Expectations

Wisconsin Department of Children and Families (DCF), Wisconsin Department of Justice (DOJ), End Domestic Abuse Wisconsin (End Abuse), and the Wisconsin Coalition Against Sexual Assault (WCASA), (hereafter 'We') are coordinating our efforts to offer a consistent message and guidance for domestic violence and sexual assault advocacy agencies who are funded by DCF and/or DOJ.

We are aware that survivors of human trafficking are sometimes unable to access supportive services from Wisconsin domestic violence and sexual assault programs, that some programs may believe that DCF or DOJ funding prohibits them from serving these survivors or that they are not qualified to provide services. Survivors of trafficking seeking shelter have at times been told that shelter is full only after they have shared the story of their victimization, increasing risk and trauma for these survivors.

We recognize the many intersections of sexual assault, domestic abuse, and human trafficking and acknowledge that each survivor's situation is unique, requiring an individualized approach that addresses the different ways they may have been harmed.

We recognize the challenging environment in which domestic violence and sexual assault programs operate as they strive to meet the complex needs of diverse survivors, with limited resources. We are committed to support Wisconsin domestic abuse and sexual assault programs to serve survivors of trafficking.

- We stand behind best practices and expectations for advocating and providing supportive services to survivors of trafficking. DCF and DOJ funding does not prohibit shelter programs from providing services to survivors of labor and/or sex trafficking.

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- Per Wis. Stat. 48.9875, shelter programs can provide shelter services to survivors aged 17 and older, independently if they meet statutory requirements ([see Wis. Stat. 48.9875](#)).

- Domestic and sexual abuse is prevalent among survivors of trafficking. Intake questions can and should open doors to providing services. For example:

- Are you being hurt?
- Where do you eat and sleep? (In the same place as the person who hurts you?) Can you decide when to come and go?

- Is this person the parent of your child (or any of your children)?
- Agencies will assess the level of services they can provide for survivors of trafficking (i.e., crisis response, short-term support, long-term healing) and develop the community partnerships necessary to provide survivors with appropriate services. Directors and Advocates should:
 - Engage in training that develops skills and tools to effectively address the needs of trafficking survivors.
 - Engage in partnerships with other organizations that are experienced in providing effective and appropriate assistance for trafficking survivors.
 - Strengthen relationships and cultivate trust with other agencies to build trauma-sensitive warm transfers and wraparound services to address survivor needs. This includes eliminating the need for survivors to repeat the story of their victimization during screening or intake.

We will work together to provide ongoing support, training, and resources to help domestic abuse and sexual assault advocacy agencies meet expectations for providing services. [View human trafficking information and resources](#) and please reach out to our statewide coalitions, End Abuse and WCASA, for additional resources, assistance, and guidance for best practice when serving survivors.

**Governor's Council on Domestic Abuse – October 2021
End Domestic Abuse WI Legislative Update**

Legislation passed:

2021 Wisconsin Act 76:

- Increases penalties for crimes committed against an elder person;
- Increases the penalty for sexual assault of an elder person;
- Creates a crime of physical abuse of an elder person;
- Creates a procedure for a court to freeze or seize a defendant's assets if charged with a financial exploitation crime involving an elder person; and
- Allows an elder person seeking a restraining order to appear in court via telephone or live audiovisual means.

Update:

Release of our annual homicide report, which informs much of our policy work – include the link:

This year's report includes a special feature on MMIWG2S

- In 2020, firearms were used in 52% of DV homicide incidents
- Over one-third of the perpetrators in 2020 who used a gun to commit a DV homicide were legally prohibited from possessing a firearm.
- Since 2005, firearms have killed more people in DV homicides in WI than all other methods of killing combined.

State Legislation:

SUPPORT: Universal Background Checks - LRB 2751

Requiring background checks on all gun sales in Wisconsin

LRB 2751 prohibits any person from transferring any firearm unless it goes through a federally licensed firearms dealer and occurs with a background check. This bill would close the “gun show loophole” - or the sale of firearms by private sellers, including those done at gun shows, that do not require a background check of the buyer.

Note: LRB 2751 has exceptions including:

- A transfer to a firearms dealer, law enforcement, or an armed services agency.
- A transfer of a firearm classified as an antique.
- A transfer of no more than 14 days for the purposes of hunting or target shooting.
- A transfer that is a gift, bequest, or inheritance to a family member.

SUPPORT: Misdemeanor crime of domestic violence SB 317/AB 321

Under this bill, state law would also prohibit a person from possessing a firearm if they have been convicted of, or found not guilty by reason of mental disease or defect for, a misdemeanor crime of domestic violence. **This will bring state law in line with federal law.**

OPPOSE: Critical Race Theory bills: AB 411, AB 414, AB 413, SB 409

Relating to: anti-racism and anti-sexism student instruction and anti-racism and anti-sexism training for employees at the University of Wisconsin System and the Technical College System or in the K-12.

(413 and 411 passed in the assembly)

End Abuse is an anti-violence coalition. It is our responsibility to challenge systems that allow root causes of violence - including racism and misogyny - to thrive, recognize our complicity in the violence we aim to end, and encourage the development of healthy, nonviolent relationships at the interpersonal and community

levels. Education on race and gender is central to the work to end domestic violence (DV); it is impossible to address and prevent DV without discussing its inherent intersections with racism and sexism. End Abuse and our member programs train medical and social work students, among others, on the dynamics of DV so that they can meet the needs of the public upon graduating. The implication of this legislation goes far beyond schooling. Students apply what they learn in school to their daily personal and professional lives after graduation, and that application of knowledge impacts how they relate to their loved ones and their community. Doctors, nurses, and social workers are critical actors in DV intervention. They are uniquely positioned to identify the signs of domestic violence and facilitate access to resources and life-saving community programming. Escalating violence is a preceding factor to domestic violence homicide, and we know after 20 years of research that many survivors interact with healthcare professionals in the weeks leading up to their death. Healthcare professionals that understand the dynamics, signs, and risk factors of domestic violence save lives. If this legislation were to pass, it would be impossible for End Abuse or our member programs to provide domestic violence training in the UW system. This bill effectively silences the teaching of black history and women's history, the erasure of which leaves students and faculty ill-equipped to meet the needs of our communities, address structural inequities, and prevent violence from happening in the first place.

OPPOSE: Anti-Trans Legislation (AB 195/AB 196/SB 323/SB/322) – public hearings held

UW System: AB195 (PASSED) it's companion SB 323 has not had exec session.
Public school system: AB196 (PASSED) companion SB 322 has not had exec session.

These bills will prevent trans girls and women from participating in school sports.

In 2015, 77 percent of transgender adults who were out or perceived as transgender while in grades K-12 reported negative experiences at school. These experiences included verbal or physical harassment, physical or sexual assault, or being prevented from dressing in accordance with their gender identity. Since transgender youth often experience severe discrimination and rejection, they often look for validation in an intimate partner. One study showed 50% of transgender individuals were raped or assaulted by a romantic partner. The mere introduction of this legislation compounds upon the marginalization, isolation and violence experienced by our young people and sends a message that they are unwelcome and should fear living in the world as their whole selves.

This bill does not do anything to protect women and girls – it actively harms them. Trans girls are girls. Trans women are women.

OPPOSE: AB 604– Relating to: pay for performance grant requirements, housing navigator grants, use of public lands to provide temporary residence for the homeless, making an appropriation, and providing a penalty.

We are concerned that this bill will criminalize houseless folks and will penalize survivors with mental health and substance use challenges.

SUPPORT: Lease Termination (SB 67/AB 58) – passed in senate committee, awaiting executive session in assembly committee in Committee on Housing and Real Estate

This bill allows a survivor to terminate their tenancy if they or their child fears imminent violence by providing their landlord with a written statement from a victim advocate. Under the current Safe Housing Act, survivors are unable to terminate a lease without engaging civil or criminal legal systems. This bill would eliminate a significant barrier to safety by allowing survivors to terminate a lease without becoming entangled in the potentially negative consequences of pursuing relief through the criminal justice system. Victim service providers receive a great deal of training and intimately understand the dynamics and dangers of domestic violence. As a result, they are uniquely positioned to provide a credible account of an imminent threat of violence.

SUPPORT: Safe Harbor Legislation (SB 245)

Will prevent child victims of trafficking from being charged with prostitution – public hearing held in the Senate and now needs to go to a hearing in the Assembly. In the hearing, the authors encouraged legislators to support the bill. If your legislator has not co-sponsored the legislation, please reach out to them, and ask that they do so.