

# AGENTS FOR CHANGE

Volume 13, Issue 3  
June, 2003

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

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## **Technical Assistance Grant takes BWLAP to Chama, New Mexico**

On May 1, 2003, Legal Resources Program Manager Rumna Chowdhury traveled to Chama, NM to conduct a technical assistance training on community organizing. This training is one of several technical assistance trainings, sponsored by the U.S. Department of Justice, which BWLAP is conducting across the country. This particular training was planned with the collaboration of the local domestic violence agency, North Central Community Based Services, Inc. (NCCBS).

Chama, NM is a small town (population approx. 1200) on the northern border of New Mexico, just a few miles south of Colorado. The training took place at the "Lodge at Chama," an old ranch that has been converted into a convention center. Participants came from a wide variety of backgrounds, including agency directors, advocates, and volunteers. The local police department sent two representatives to attend the training, one of whom was the chief of police, who spoke on the difficulties of law enforcement in rural areas. We were also very excited to have two representatives from the Governor's office in attendance. The current first lady of New Mexico has announced domestic violence as the issue she will address during her husband's term in office.

Rumna presented a piece on community responses to domestic violence, and challenged the group to look at the issue from a new perspective. She encouraged the training participants to address the systemic issues of power and control that underlie all domestic violence work. After Rumna's presentation, the group heard from a local advocate about cultural competency when working with Native populations. Several survivors were present and took part in a "survivors' panel," describing their experiences with domestic violence. One especially powerful speaker was a 15-year-old girl who witnessed her father shoot her mother twelve years ago. The mother, who has been paralyzed from the waist down since the shooting, was also present at the training and spoke about her experience.

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## Upcoming Events at BWLAP

- **June 3**—Domestic Violence training for MFIP job counselors in Oakdale. Somali and Hmong cultural components.
- **June 5**—Domestic Violence training for MFIP job counselors in Bloomington. Somali cultural component.
- **June 19**—BWLAP Board Meeting, 10:30 a.m.
- **June 24**—Dynamics of Lesbian Battering, a talk with Jolie Snow of OutFront Minnesota @ BWLAP. Noon—1:30 pm. All invited, bring your lunch!
- **June 27**—Home Free domestic violence training for law enforcement in Plymouth. Somali, Latina and Russian cultural components.

## New Laws

It's that time of year again and BWLAP is going to be on the road conducting New Laws trainings all over Minnesota. In order to conserve resources, we are holding some of the trainings Monday-Tuesday as opposed to Thursday-Friday. Here is the schedule:

August 4-5 (M-T) Moorhead, MN  
 August 11-12 (M-T) Grand Rapids, MN with Advocates for Family Peace  
 August 14-15 (Th-F) Little Falls, MN with House of Hope  
 August 21-22 (Th-F) Saint Paul, MN with CLUES  
 August 25-26 (M-T) Rochester, MN with Women's Shelter  
 September 4-5 (Th-F) TBA in southwest Minnesota.

## BWLAP in Spartanburg, SC

On May 7, 2003, Program Managers Zabat Awed and Gloria Fressia conducted an Agents for Change Training in sunny South Carolina. The two topics discussed were Community Organizing and Court System Accountability. There were twenty participants representing eight different agencies. Some agencies represented were: Spartanburg Public Safety, Solicitor's Office and Spartanburg County Sheriff.

The first session was a roundtable discussion on how domestic violence agencies can more effectively collaborate and get more actively involved in working with community.



Zabat with Lynn Hawkins, Executive Director of Safe Homes—Rape Crisis Coalition

The training went so well that one participant offered this feedback, "It made me think about how we can partner together with other organizations to educate the community." Another comment was, "Training like this should be held every year for domestic violence agencies."

Besides the positive evaluations, another happy result is that BWLAP is building more strong relationships with other domestic violence advocates all across the country as well as in Minnesota.

## Basic Domestic Violence Trainings for MFIP Job Counselors

During the months of May and June, BWLAP staff completed a series of basic DV trainings that began in January of this year. BWLAP contracted with the Minnesota Departments of Human Services and Economic Security to train MFIP job counselors on the dynamics of domestic violence. These trainings took BWLAP staff across the state, to Detroit Lakes, St. Cloud, Marshall, Mankato, Rochester, Bemidji, Duluth, Oakdale, and Bloomington.

Domestic violence training for MFIP job counselors is important because for many women, their job counselor is their first contact with the system. As such, job counselors are in a very powerful position – depending upon their reaction to a woman who discloses she is being battered, the woman may seek further help, or she may become discouraged and decide not to reach out to another person for help.

In 1997 the Minnesota state legislature put a 60-month limit on receipt of MFIP benefits to adults. As part of the process, each adult must meet with a job counselor on a regular basis. The client and the job counselor create an employment plan for the client, aimed at getting the client employed and transitioning them off of MFIP. If the client does not follow her personalized employment plan, she may be sanctioned. However, a victim/survivor of domestic violence may apply for a “Family Violence Waiver.” This waiver stops the clock on the 60-month limit for MFIP, and changes the Employment Plan (EP) requirements. For a person with a Family Violence Waiver, the primary focus of their EP is not job placement, but always SAFETY FIRST.\* This significantly changes a person’s MFIP-related activities. In an EP for a person with a family violence waiver, the job counselor and client will outline appropriate measures that the client may take to maintain personal safety. These measures may include petitioning for an Order for Protection, connecting with domestic violence advocacy services, or changing locks on doors. The important thing to note is that the client is not pressured to look for employment if her safety is in question. If a client with a Family Violence Waiver does not follow her EP, she may be sanctioned and lose the waiver.\*\* The Family Violence Waiver is an important tool because it allows a battered woman to focus on safety first, and does not penalize her for being unable to pursue employment opportunities.

\* As originally instated, a person with a Family Violence Waiver would complete an Alternative Employment Plan instead of a regular Employment Plan. However, that procedure recently changed and as of July 1 people with Family Violence Waivers will fill out the same plan as all other MFIP recipients.

\*\* It used to be that a person with a Family Violence Waiver could not be sanctioned for noncompliance with her employment plan. However, the legislature has changed that rule this session, so that as of July 1 persons with Family Violence Waivers may be sanctioned the same as all other MFIP recipients.

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## Equality in Canada

In June, the Ontario Court of Appeals ruled that gays and lesbians are indeed equal citizens, in Canada at least. Courts in Quebec and British Columbia had already ruled that same-sex marriages must be legal, but gave the government a deadline of July 2004 to remedy the situation. The Ontario decision made next year’s deadline irrelevant, because same-

sex couples throughout Canada may now marry legally in Ontario. Any couple, regardless of nationality, residence or gender, may marry in Canada. Divorce requires a one-year residency. The U.S., however, does not recognize same-sex marriages at this time.

For more information, go to:  
[www.lambdalegal.org/cgi-bin/iowa/documents/record?record=1274](http://www.lambdalegal.org/cgi-bin/iowa/documents/record?record=1274)

## Welcome to our Summer Volunteers!

BWLAP is very fortunate to have several volunteers this summer working on a variety of projects. We are quite thrilled to have them and welcome them all!

**Talia** is a 2nd year law student. She is working on updating several technical assistance packets and writing a new one on Minnesota's new concealed carry law. She will also help organize this year's New Laws trainings.

**Jolene and Jen** are a 2nd year law students. They will help update our OFP/HRO packet and other technical assistance packets.

**James** is an undergrad who is helping us with various administrative tasks, including organizing our library.

**Gigi** is a 2003 South High School grad who is donating part of her summer before college to BWLAP.

### "Behind the Wall"

Last night I heard the screaming  
Loud voices behind the wall  
Another sleepless night for me  
It won't do no good to call.  
The police  
Always come late  
If they come at all

And when they arrive  
They say they can't interfere  
With domestic affairs  
Between a man and his wife  
And as they walk out the door  
The tears well up in her eyes

Last night I heard the screaming  
Then a silence that chilled my soul  
I prayed that I was dreaming  
When I saw the ambulance in the road

And the policeman said  
"I'm here to keep the peace  
will the crowd disperse  
I think we all could use some sleep"

© **Tracy Chapman, 1983**

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CHECK OUT OUR WEBSITE!  
[WWW.BWLAP.ORG](http://WWW.BWLAP.ORG)

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### Did you know...

Federal law permanently prohibits any person convicted of assault related to domestic violence from possessing firearms or ammunition. This law is retroactive and there are no exceptions, even for law enforcement.

See our newly updated Federal Firearms Prohibitions technical assistance packet for more details.

### Farewell Tamara

Tamara Buffalo left the BWLAP staff in April. While at BWLAP, Tamara worked on the Native American Mentorship Project. We wish Tamara the best of luck in her future endeavors.

## Minority Organizing for Social Change

Program Manager Gloria Fressia was in Grainger, Washington conducting a two-day training April 25-26. This training was presented in Spanish with the help of Amigas Unidas and Liliana Espondaburu of Casa de Esperanza.

Gloria spoke on the topics of “Diversity and Social Justice” and “Leadership of Latino Women.” She discussed the cycle of socialization and liberation and the different forms of discrimination, such as individual, institutional and structural. Discrimination also takes many different forms, including racism, classism, sexism and linguicism. She also talked about strategies for making systems of privilege more visible.

Gloria presented the cases of Madres de Plaza de Mayo and Rigoberta Menchu in speaking about the leadership of Latino women. She differentiated between the leadership styles of Latin American Latinas and Latinas living in the United States. There are different barriers for Latinas in Latin America as opposed to the barriers faced in the U.S. Gloria discussed different strategies to consider when talking about leadership and provided examples of community organizing from Latin American countries.

Everyone learned so much from each other and built strong relationships. There is a lot of support for more collaborative efforts in the future!



Grainger, WA workshop participants

(Continued from page 1)

Captain Quintin McShan of the local police department was present and spoke about the problems of rural enforcement of domestic violence laws. The police department in Chama consists of just seven officers. The nearby town of Espanola has 26 officers. Chances are that when you call the police, the person that shows up at your door is someone you know, or even someone to whom you or your partner is related. The small community brings forth what seem to be unusual circumstances for those of us who are from larger cities. It is not unusual for a police officer to find himself seated next to a person he has arrested while at local social events (e.g. high school basketball games). This provides for a bizarre community dynamic.

Captain McShan also discussed problems of rural access to law enforcement. It is not uncommon for a police officer to drive two hours to get to a home in response to a domestic violence call. By the time the police arrive, the perpetrator is usually long gone. Also, confidentiality is virtually non-existent in such small communities, where everybody knows everybody else and many people listen to police radio for their evening entertainment.

The training ended with the group discussing ways to address problems specific to the area. Specific action items included outreach and education to the community, increasing cultural sensitivity and awareness of service providers, and increased collaboration with organizations whose main focus is not domestic violence.

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## Clarification

In our April newsletter, we published an article entitled "Helping Women Prepare for County Worker Visits." A few people raised concerns that BWLAP was advocating that women conceal child abuse or neglect. Nothing could be further from the truth. The safety of women and their children is BWLAP's number one concern and we would *never* advocate keeping a child in an abusive situation.

This article was one in a series discussing cultural competency as it relates to battered women, especially immigrant battered women. In our American culture of abundance, it is sometimes difficult to remember that in many cultures, shopping for the day's food is a daily occurrence to ensure that food is fresh. Many immigrants brought this shopping practice with them from their native countries. A worker could misinterpret this cultural difference as neglect if the refrigerator was empty during a home visit. Household management styles also vary widely from culture to culture. What is "clean" in

one country could be considered quite the opposite in another. Also please remember that for battered women, daily survival is the number one priority. If your or your children's lives were in danger, it could be the case that having age-appropriate toys available would not be a point of focus.

Our philosophy is that battered women are the people who know best what they need to do to survive each day. Some things that seem like common sense to Americans may not be so obvious to people from other cultures. This in and of itself does not mean that they are abusive parents or neglectful of their children. We encourage advocates to educate their clients for two reasons. One, to make them more aware of American culture and two, because there are some workers who are not aware of cultural diversity and may misinterpret that diversity as abuse or neglect. As always, BWLAP encourages women in crisis to reach out for help and works to facilitate their safety goals.

**Battered Women’s Legal Advocacy Project’s  
TECHNICAL ASSISTANCE PACKETS  
--- ORDER FORM ---**

- Federal Firearms Prohibitions\*
- State Firearm Prohibitions\*
- Harassment Restraining Order
- Criminal Court Sentencing Options
- Custody Determinations: Best Interest Factors
- Data Practices and Confidentiality
- Expungement of Court Records
- Expunging your Eviction (UD)
- Extraordinary Writs: Writs of Mandamus and Writs of Prohibition
- Family Court Motion Practice
- Filing Complaints Against Attorneys
- Filing Complaints Against Judges
- Filing a Motion/Preparing for a Hearing
- How to Become A Notary Public
- How to Hire An Attorney/ Fee Arbitration
- Juvenile Court: A Basic Introduction
- MN Harassment/ Stalking Law
- MN Court of Appeals Practice / Pro Se Appeals
- Mexico Travel for Moms with minor children\*\*
- Mutual OFP
- Name and Social Security Number Change Information \*
- OFP Without Hearings
- OFP: Finding Personal Jurisdiction Over Nonresident Batters\*
- OFP: Methods of Service of Process
- Alternatives to OFP: Harassment Restraining Orders
- Qualifying for *In Forma Pauperis* Status in Legal Proceedings
- Starting a Support Group\*\*
- T-Visas\*\*
- Using An Interpreter In Court
- Violence Against Women Act (VAWA): Full Faith and Credit Provision

\*Updated \*\*New

Technical Assistance Packets are available at no cost. They can also be downloaded from our website—[www.bwlap.org](http://www.bwlap.org)

Send your request/order form to:

Mail packets to:

**BWLAP**  
**1611 Park Ave S – Suite 2**  
**Minneapolis, MN 55404**

**612-343-9842**  
**staff@bwlap.org**

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Permit 3542

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

Questions or Comments? E-mail us: [staff@bwlap.org](mailto:staff@bwlap.org)

## MARK YOUR CALENDARS!

### June 19, 2003

Board of Trustees Meeting  
10:30-12:30  
Free brunch provided!

### Community Forums

**Noon-1:30 p.m. @ BWLAP**

**June 24:** Gay Pride Month—Jolie Snow of OutFront Minnesota will speak on the topic of lesbian domestic violence.

**July:** State-sanctioned Violence

Please call Sage at 612.343.9842 for more details or to register.

## VOLUNTEERS

Needed for a variety of tasks.  
If you are interested in helping,  
please e-mail:  
[sage@bwlap.org](mailto:sage@bwlap.org)