



NJCBW UPDATE

May 2009



NJCBW staff with Donna Edwards, first Executive Director of NNEDV, new Maryland Congresswoman elected in November and a former Jersey Girl.

COURT DECLARES NJ DV LAW CONSTITUTIONAL

CRESPO v. CRESPO
Superior Court of New Jersey
Appellate Division
Docket Nos. A-0202-08T2
A-0203-08T2

On June 18, 2008, while deciding a Motion to Vacate a Final Restraining Order, and in an unpublished decision, a Superior Court judge declared the New Jersey Prevention of Domestic Violence Act ("PDVA") unconstitutional based on two grounds. First, the court ruled that the PDVA violates the due process clause of the 14th Amendment because it allows restraining orders to be issued based on a preponderance of the evidence standard. The court stated that the standard of proof should be clear and convincing evidence. Second, the court found a separation of powers problem stating that the Legislature had intruded in the Supreme Court's domain by directing procedures that contradict the court rules. Although the court disagreed with other constitutional arguments against the law, it ultimately ruled that the PDVA is unconstitutional and it therefore vacated Plaintiff's final restraining order.

The case was appealed by the Office of the Attorney General in an interlocutory appeal with the New Jersey Coalition for Battered Women participating as amicus curiae.

In a well written and very thorough published opinion issued on June 18, 2009, the Appellate Division upheld the constitutionality of the PDVA. The Court held that that the procedural requirements for cases brought pursuant to the Prevention of Domestic Violence Act do not violate the separation of powers doctrine, and the preponderance of the evidence standard does not violate due process principles. The Court therefore reversed the trial court's decision that the act is unconstitutional on those grounds.



COALITION UPDATES WEBSITE

You will still recognize the Coalition web site but it is much improved, easier to navigate, and with more information. Learn more about the Coalition and its programs. Check it out at www.njcbw.org.

VICE PRESIDENT BIDEN ANNOUNCES APPOINTMENT OF WHITE HOUSE ADVISOR ON VIOLENCE AGAINST WOMEN

Washington, DC – Vice President Biden, the author of the landmark Violence Against Women Act, announced the appointment of Lynn Rosenthal as the new White House Advisor on Violence Against Women. Ms. Rosenthal is one of the nation's foremost experts in domestic violence policy, and has worked at the local, state and national levels to create an environment where violence against women is not ignored and perpetrators

are held accountable. This is a newly created position at the White House, dedicated specifically to advising the President and Vice President on domestic violence and sexual assault issues.

"My proudest legislative achievement in the Senate was passing the Violence Against Women Act. We've made great strides since its passage – shining a light on an all too silent issue and reducing violence against women in significant numbers. But we have to do more," said Vice President Biden. "That's why we're here today – to do more. It's an honor to announce the first ever White House Advisor on Violence Against Women, Lynn Rosenthal. Lynn is passionate about these issues and knows them backwards and forwards. And as a former director of a shelter, she's also seen the human face of this tragic problem. She will be a leader in this White House in stopping the violence and sexual assault of women and will be an integral part of this Administration."

"Lynn Rosenthal has been a life-long advocate for women and she has been a real leader in developing effective policies to combat domestic violence," said Valerie Jarrett, Senior Advisor and Assistant to the President for Intergovernmental Relations and Public Engagement. "She will be a tremendous asset to the President, Vice President and the entire Administration as we continue the battle against domestic violence and sexual assault."

Ms. Rosenthal's areas of domestic violence expertise include housing, state and local coordinated community response, federal policy on violence against women, and survivor-centered advocacy. She most recently served as the Executive Director of the New Mexico Coalition Against Domestic Violence.

From 2000-2006, Rosenthal served as the Executive Director of the National Network to End Domestic Violence (NNEDV) where she represented 54 state and territorial coalitions whose collective membership included more than 2000 local domestic violence programs. She played a major advocacy role in the reauthorization of the Violence Against Women Act in 2000 and 2005 and has assisted states and local communities with implementation of this groundbreaking federal legislation. She also worked closely with corporate partners to bring millions of dollars to local communities to respond to domestic violence. She partnered with The Allstate Foundation to develop a highly successful national initiative to promote economic empowerment for survivors of violence. Prior to her service at NNEDV, Rosenthal was director of the Florida Coalition Against Domestic Violence where she developed innovative service models for rural and legal services. On her return to Florida in 2006, Rosenthal developed the state's first

comprehensive plan to help survivors of violence find housing.

"President Obama and Vice President Biden could not have named a more qualified, visionary leader to advise the White House on violence against women," said Sue Else, President of the National Network to End Domestic Violence. "Lynn Rosenthal is a pioneer in the movement against domestic abuse and sexual assault. Her expertise will help to shape federal policies that will serve countless survivors of domestic and sexual violence."

In this new position, Ms. Rosenthal will serve as an advisor to the President and Vice President on domestic violence and sexual assault issues; be a liaison to the domestic violence and sexual assault advocacy community; coordinate with the Department of Justice's Office of Violence Against Women (OVW) on implementation of Violence Against Women Act programs; coordinate with the Department of Health and Human Services on implementation of Family Violence Prevention Act services (including the National Domestic Violence Hotline); coordinate with the State Department and USAID on global domestic violence initiatives; and drive the development new initiatives and policy aimed at combating domestic violence and sexual assault with advocacy groups and members of Congress.

Ms. Rosenthal has been widely recognized for her efforts to address domestic violence at the national, state and local levels. In 1999, she received the Florida Governor's Peace at Home Award for making a difference in the lives of battered women and their children. In 2005, Doris Buffet's National Sunshine Lady Foundation honored her for her work on the Violence Against Women Act. In 2006, she was the first recipient of the Sheila Wellstone Institute National Advocacy Award.

ECONOMIC CRISIS MAY SPUR GROWTH IN HUMAN TRAFFICKING

A shrinking global demand for labor, and a growing supply of people with little choice but to take tremendous risks as they search for work, is adding a new dimension to the problem of human trafficking, a new report from the U.S. State Department finds. It concludes that the global financial crisis is leading to an increase in the number of countries, particularly in the developing world, that either are overlooking trafficking and bondage, or lack the resources to enforce laws designed to combat these crimes.

This year, 52 countries and territories, up from 40 last year, are on the United States' Tier 2 watch list of countries that are not doing enough to stem human

trafficking. Overall, the watch list now includes 173 countries, which is an increase of 20 from last year. This reflects both the increased number of countries included in the rankings and the tighter standards passed by Congress last year for judging a country's performance.

The annual report seeks to increase global awareness of human trafficking, highlight national and international efforts to combat it, and encourage foreign governments to take action against all forms of modern-day slavery. The U.S. State Department released its 2009 *Trafficking in Persons Report* on June 16.

"This is modern slavery, a crime that spans the globe, providing ruthless employers with an endless supply of people to abuse for financial gain," Secretary of State Hillary Rodham Clinton said in releasing the report. "It weakens legitimate economies, fuels violence, threatens public health and safety, shatters families, and shreds the social fabric that is necessary for progress. And it is an affront to our basic values and our fundamental belief that all people everywhere deserve to live and work in safety and dignity."

"The report concludes that in a time of economic crisis, victims are more vulnerable, affected communities are more vulnerable, and persons who are under economic stress are more likely to fall prey to the wiles of the traffickers, who often get their victims through promises of a better life, promises of better earnings, the ability to earn money if they are to travel abroad for work," said Director of the State Department's Office to Monitor and Combat Trafficking in Persons Luis C. deBaca. "And often what we see and is reflected in the report this year is that notion of large, upfront payments, recruiting fees, debts that are taken out either to the recruiters themselves or to loan sharks in the home country, so that by the time that workers get to their destination, they are already, in effect, held in debt-bondage."

In a sign of progress, during the reporting period 26 countries enacted new anti-trafficking laws. More than half the world's countries have now enacted criminal legislation prohibiting all forms of trafficking in persons.

The United Nations International Labor Organization estimates that there are 12.3 million adults and children, at any time, in forced labor and sexual servitude and more than half (56 percent) are women and girls. It also estimates that there are 1.39 million victims of sex trafficking, both national and transnational.

Congress mandated the *Report* through the *Trafficking Victims Protection Act of 2000*. The *Report* covers 2008, and is the first issued by the Obama Administration. *To get more information on the 2009*

Trafficking in Persons Report visit,
www.state.gov/g/tip/rls/tiprpt/2009/index.htm

UPCOMING TRAINING

July 9, 2009 **10:00 am-4:00pm**
Community Outreach for the Domestic Violence Advocate
Dr. J.C. Williams, N.D.

Engaging diverse ethnic, religious, military, gay and lesbian, corporate or neighborhood communities in dialogue and outreach for victims of domestic violence can sometimes seem impossible. This seminar will aid the domestic violence advocate in establishing ties in the community. Community assessment, prevention, support networks, crisis intervention and coping, politics, goal setting, budgeting, organizing leadership, evaluation, social change and cultural awareness will be addressed. Attendees should bring with them the challenge they would like to explore.

5 DVS Credits: Community Resources and Networking
\$15 program staff; \$50 non-program staff

July 24, 2009 **10:00 am-12:00 pm**
Developing Major Gifts: Finding the perfect donors who love your mission and stay with you for life
Laura Fixler

Over eighty percent of all charitable gifts come from individuals. Learn a systematic process for growing your base of passionate major donors—donors who can ultimately help your organization become financially self-sustaining. Learn how other organizations have grown their major gifts programs year after year, raising unrestricted funds for operations, capital and endowment. This session is designed for board members, executive directors, CEOs, and fund development professionals. By the end of this session, participants will have learned: A proven system for engaging and cultivating lifelong major donors; A method for converting existing donors into major donors; To engage your board in the fundraising process without requiring that they ask for money

2 DVS Credits: Community Resources and Networking
\$10 program staff; \$35 non-program staff

July 29, 2009 **10:00 am-1:00 pm**
American Sign Language and Deaf Culture Awareness
Jessica Stebnisky

This ASL 101 workshop will provide participants with a beginning foundation of signs using American Sign Language Sign topics will include: common greetings and basic communication; family members; family members and people; signs to describe people and emotions; finger spelling (the alphabet) and numbers and domestic violence shelter related vocabulary.

Participants will also have the opportunity to practice signs as a group and with partners. This will allow each participant to improve expressive and receptive skills.

In addition, participants will examine deafness as a culture, not a disability. As a result, common misconceptions of Deaf people will be discussed and clarified. Tips for easier and more successful communication will be learned, and assistive technology that Deaf people commonly employ will be discussed. It is recommended that participants also sign up for the follow up review class on August 12th.

3 DVS Credits: Special Populations

\$10 program staff; \$35 non-program staff

August 12, 2009 **10:00 am–12:00 pm**

American Sign Language and Deaf Culture

Awareness Follow –Up **Jessica Stebnisky**

This class will review lessons learned in the ASL 101 class that met on July 29th, with a special emphasis on reinforcement of learned vocabulary. Participants will continue working together and with the instructor to practice their expressive and receptive skills. Time permitting the instructor will teach specific signs based on participant requests. Resources and visual reminders will be provided for home review and continued study.

2 DVS Credits: Special Populations

\$10 program staff; \$35 non-program staff

August 19, 2009 **10:00 am-1:00 pm**

Guide for DV Advocates working with DYFS

Penny Paparteys and Christine Minerva

Domestic violence advocates have learned that the concerns of battered women are inextricably linked to the welfare of their children and that the safety decisions of battered women are typically guided by the needs of their children. The child protective system has learned that there are better outcomes for non abusive parents and their children when they are able to address the safety concerns of the parent as well as the children. Often the two systems have felt at odds with each other, yet we recognize that our mutual desire help those families in which violence against women and children is overlapping and intertwined. Herein lies the basis for a more collaborative relationship between the systems. This workshop will highlight ways domestic violence advocates can work more effectively clients that have DYFS involvement.

3 DVS Credits: Intervention

\$10 program staff; \$35 non-program staff

All July to December 2009 training programs are now available on the Coalition web site

www.njcbw.org

JULY 2009 MEETING SCHEDULE

Coalition Membership Meeting

Thursday, July 9, 2009 10:00am-1:00pm

Coalition Board of Trustees Meeting

Thursday, July 9, 2009 1:00pm-3:00pm

NJ Child Advocate Network (CAN)

Friday, July 10, 2009 10:30am-3:30pm

Legal Advocates Meeting

Friday, July 17, 2009 10:30am-3:00pm

Battered Lesbian Task Force

Thursday, July 23, 2009 10:30am (Rutgers)

DVRT (Domestic Violence Response Team) Meeting

Tuesday, July 28, 10:00am – 3:00pm

AUGUST 2009 MEETING SCHEDULE

Women of Diversity Task Force Retreat

Friday, August 7, Sussex County

For details about the retreat, contact Annette McDonald at mcdonald@dasi.org.

Shelter Directors

Thursday, August 13, 10:00 am

Coalition office

Community Professional Educators Network (CPEN)

Friday, August 14

Legal Advocates Meeting

Friday, August 21, 2009 10:30am-3:00pm

Battered Lesbian Task Force

Thursday, August 27, 2009 10:30am (Rutgers)

Call the Meeting Cancellation Line to check for training and meeting cancellations 609-584-8107, ext. 23