



Disability Rights Wisconsin Victim Advocacy Program

SERVICES TO SURVIVORS OF CRIME WITH
DISABILITIES

WITHIN WISCONSIN'S P&A

JILL GONZALEZ

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Introduction to Wisconsin's P&A

- ▶ Disability Rights Wisconsin is a private non-profit organization and is Wisconsin's state's Protection and Advocacy system
- ▶ Our mission is to advance the dignity, equality, and self-determination of people with disabilities
- ▶ DRW works to pursue justice on matters related to human and legal rights
- ▶ DRW's goal is to help people with disabilities access services and opportunities through its advocacy and legal expertise
- ▶ Advocates and attorneys provide direct advocacy services (casework) and systems advocacy (policy work) to achieve positive changes in the lives of people with disabilities and their families
- ▶ Monitor public and private institutions and programs that provide services to PWDs
- ▶ Balance our work by setting goals and priorities
- ▶ Empower people and their families through our disability rights trainings with the goal of self-advocacy

DRW's Core Values and Programs

- ▶ Diversity (who we serve and staff)
- ▶ Dignity
- ▶ Independence
- ▶ Accessibility (programs, buildings, advocates)
- ▶ Inclusion (public places, communities)
- ▶ Human Rights and Liberation (quality of life)
- ▶ Specifically address disability-related injustices at the intersections of disability and race, disability and gender, disability and gender-based violence, and more.
- ▶ Protection and Advocacy (Core Service)
- ▶ Disability Benefits Specialists Training and Support
- ▶ Disability Drug Benefit Hotline
- ▶ Family Care and IRIS Ombudsman
- ▶ SSI Managed Care External Advocacy Project
- ▶ Victim Advocacy

Meet the VAP's Team Members

Madison Office

- ▶ Nadya Rosen: Managing Attorney
- ▶ Ellie Jarvie: Advocacy Specialist; Community and Institutions (C&I)
- ▶ Phyllis Greenberger: Lead Advocacy Specialist; C&I; Schools and Civil Rights
- ▶ Natalia Hildner: Advocacy and Outreach Specialist
- ▶ Jill Gonzalez: Advocacy Specialist; Schools

Milwaukee Office

- ▶ Lydia Hartlaub: Staff Attorney; Schools and Civil Rights; Limited Immigration issues

Green Bay Office

- ▶ Pam Malin: VAWA Project Coordinator; Advocacy Specialist
- ▶ Elvita Erdmann: Advocacy Specialist

History of VOCA Grant

- ▶ In 1984 the VOCA was passed by Congress and signed by then President Ronald Reagan
- ▶ It established the Crime Victims Fund that is used to support programs that provide services to victims of all types of crime. This fund, comes directly from offender generated revenue
- ▶ Administered by the US Department of Justice. The monies are distributed to each state including U.S. territories by the Office of Victims of Crime (OVC)
- ▶ The Wisconsin Department of Justice, Office of Crime Victims Services (OCVS) administers the VOCA grant program and distributes the funds across WI. The amount that OCVS receives annually fluctuates, and is based on a set formula, and cannot exceed a cap set by Congress
- ▶ <https://ovc.ojp.gov/>
- ▶ <https://www.doj.state.wi.us/ocvs>

VAWA-Another Victim Focus Grant

- ▶ The Violence Against Women Act was originally passed in 1994. It is the first federal legislation that specifically recognized that domestic violence and sexual assault are crimes. It provides funding for programs and projects as well as created certain legal protections for survivors. Funds states, municipalities, courts, and non-profits.
- ▶ VAWA funding is administered by the US Department of Justice, Office on Violence Against Women (OVW).
- ▶ OVW administers 19 grant programs aimed at ending violence and supporting survivors. Some of the grant programs target specific types of services while others are population-specific.
- ▶ VAWA was re-authorized several times (2000, 2005, and 2013) but was not re-authorized in 2018.
- ▶ Supporting the development of a disability-based training curriculum

Wisconsin State Statute 950

Rights of Victims and Witnesses of Crime

Definitions

- ▶ Crime means an act committed in this state which, if committed by a competent adult, would constitute a crime, as defined in s.939.12
- ▶ Victim of Crime-means a person who has suffered physical, sexual, financial, or emotional harm as a result of a commission of a crime

Victimization Types

- ▶ 26 different categories by the US DOJ
- ▶ Adult physical/sexual assault/assaulted as children
- ▶ Child physical abuse/neglect
- ▶ Domestic/family Violence/Teen dating
- ▶ Bullying-Hate Crimes-Stalking-Harassment
- ▶ Burglary-Robbery
- ▶ Elder abuse
- ▶ Homicide
- ▶ Financial crimes

Why its Necessary to Provide Victim Services for People with Disabilities

- ▶ Statistics about victim/survivors of crime with disabilities:
 - ▶ People with disabilities are twice as likely to be victims of violent crime as people without disabilities.
 - ▶ People with Intellectual Disabilities are sexually assaulted at seven times the rate of people without disabilities.
 - ▶ One in 5 violent crime victims with disabilities believe they were targeted due to their disability.

Eligibility and How to Request Victim Advocacy Services

Eligibility

- ▶ Any person who has a disability
- ▶ Who has experienced victimization
- ▶ No age restriction
- ▶ No proof of disability necessary
- ▶ Crime doesn't have to be reported

Intake Process

- ▶ Call and speak with DRW's intake specialist at any of our offices
- ▶ Email DRW's general mailbox
- ▶ Call and leave a message
- ▶ VOCA intakes can go directly to Nadya Rosen, or to another program team depending on the issue/s
- ▶ Intakes can be addressed by any team member or assigned to specific advocates based on client needs and expertise of the advocate

VOCA Funds Can be Shared with other P&A Programs

- ▶ Fund P&A cases (special education, civil rights, etc.) where the client is a survivor of crime
- ▶ Fund systemic advocacy around the intersection of disability and abuse
- ▶ Provide direct advocacy to victims who are working with law enforcement to investigate and prosecute the abuse charges
- ▶ Provide representation in family court to assist survivors with disabilities
- ▶ Targeting an end to the school to prison pipeline by funding special education cases where the child is a survivor of a crime but is being criminally prosecuted for their actions at school

VAP Goals and Priorities

Federal VOCA Goals

- ▶ Respond to the emotional, psychological, or physical needs of crime victims
- ▶ Assist victims to stabilize their lives post victimization
- ▶ Assist victims to understand and participate in the CJ system
- ▶ Restore a measure of safety and security for the victim

DRW'S VAP GOAL FOCUS

- ▶ Respond to the emotional, psychological, or physical needs of crime victims

Through

- ▶ Providing emotional support to crime victims with disabilities and their families
- ▶ Providing education, technical assistance, and referrals to crime victims with disabilities to promote self-determination (many levels of service provided)
- ▶ Collaborating with victims to assess safety and assist with developing meaningful safety plans

What can be done with VOCA funds?

- ▶ Immediate emotional, psychological, and physical health and safety
- ▶ Personal advocacy and emotional support
- ▶ Mental health counseling and care
- ▶ Peer-support
- ▶ Facilitation of participation in criminal justice and other public proceedings arising from the crime
- ▶ Legal assistance where the need for such services arises as a direct result of the victimization
- ▶ Public awareness and education presentations
- ▶ Crisis intervention; safety planning; accompaniment to hospitals for medical examinations; filing restraining orders
- ▶ Working with victim to assess the impact of crime and needs; identify resources in victim's community; provision of information and referrals; follow up contact
- ▶ Assisting victims in understand the dynamics of victimization and post victimization stabilization
- ▶ The provision of services and payment of costs that help victims participate in the CJS (accompaniment of victim to offices and court; interpreters; childcare; notification to victims of court dates, case disposition, incarceration, parole proceedings)
- ▶ Help victims assert their rights; motions to vacate or expunge a conviction when they are a victim of crime; divorce
- ▶ Cross-system Coordination i.e. CCRT involvement task force; participation in statewide groups or committees to develop working agreements

What cannot be done with VOCA funds?

- ▶ Lobbying
- ▶ Research and studies, except for project evaluation
- ▶ Investigation and prosecution of criminal activities
- ▶ Fundraising
- ▶ Salaries and management expenses not related to direct victim services
- ▶ Provision of services to individuals who are not victims of crime

VAP's Semi-Annual Program Report

October 1, 2020-March 31, 2021

- ▶ Highlights outreach activities and staff in-service professional development
- ▶ Outreach Provided to five community programs
- ▶ 21 Remote Trainings Received from various institutions related to crime, trauma, intersectionality and dynamic relationships and wellness
- ▶ Highlights program challenges and successes

External/Internal Challenges

External Challenges

- ▶ Law Enforcement
- ▶ Homelessness/lack of affordable housing
- ▶ COVID 19 and technology

Internal Challenges

- ▶ Staff vacancies
- ▶ New hirer start gap
- ▶ Position turnover
- ▶ Due to non-profit status, Inability to match staff salary and benefits comparable to state salary and benefits

Program Successes

- ▶ Becoming known to the community in a short time
- ▶ Increased staff
- ▶ First Victim's Program that targets a specific population
- ▶ Expanding Outreach to communities and special populations within the state
- ▶ Experienced Team members in many areas of service/issues
- ▶ Assisted clients in filing TRO's
- ▶ Have helped clients prepare for court

Thank you!

Contact Information

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The Madison office has moved! Our new address is
1502 West Broadway, Suite 201
Madison WI 53713 (note: map apps might say Monona)

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