

Healing Together: Shifting Approaches to End Intimate Partner Violence

PolicyLink

ALLIANCE FOR
Boys and Men
of Color



Healing Together:

Shifting Approaches to End Intimate Partner Violence

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This paper is dedicated to the loving memory of Lorena Thompson (1933–1965), and all those whose lives were taken or harmed by intimate partner violence.

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Preface

For nearly a decade, PolicyLink has shepherded the coordination of the Alliance for Boys and Men of Color (the Alliance)—a grassroots advocacy network of over 200 organizations seeking to expand opportunities for boys and men of color by transforming the systems that fail them, their families, and communities. Over the course of eight years, members of the Alliance have advanced over 100 policies in California and realized justice for thousands of vulnerable people throughout the state. With generous support from Blue Shield of California Foundation, the Alliance began an intentional process to grow the network’s understanding of gender-based violence and build the capacity of men to be partners and leaders in the movement to end intimate partner violence.

Intimate partner violence, also known as domestic violence, is an important and necessary extension of the network’s peace promotion, healing-centered advocacy, justice reform, and police and prison abolition work.

The roots of oppression in the United States are born from an interwoven and complementary relationship between racism and patriarchy. These factors drive state, community, and interpersonal violence, particularly in communities of color. Our network’s political analysis originally focused on race as the primary lens through which to examine inequity, defining contrasting experiences between men of color and White men. It has since evolved to encapsulate gender inequity (read: inequitable conditions for men AND women of color) as a symptom of racism and patriarchy with an understanding that men, White and of color, benefit from that system, albeit differently, at the expense of women, particularly women of color. In this framework, patriarchy and misogyny create the conditions for violence toward women and people of all genders and their subjugation and exclusion is something that those who identify as male benefit from, even men of color, who are themselves on the margins.



This paper aims to extend the dialogue that leaders from INCITE! and other radical feminists have been outlining for decades. It centers the experiences of women of color and people harmed by their partners, tying violence against women to broader activist movements advancing racial justice, and lifts up the leadership of survivors who live at the margins.

Growing our understanding and acknowledgment of male privilege and harmful expressions of masculinity, and the social conditions that create intimate partner violence, has required deep study, reflection, dialogue, and relationship building within the Alliance, with other networks, and with thought leaders. Ultimately, what has evolved is a common understanding of radical solidarity and a shared commitment to collective liberation and accountability espoused in a separate guiding document of the Alliance titled the *People's Platform*. This document, the *People's Platform*, has informed this paper and is centered on a belief in transformative justice, which acknowledges that in the face of harm we must simultaneously work to change the systems and structures that create oppression along with the behaviors and practices that produce the harm.

Developed by INCITE! Women of Color Against Violence, this theory of transformative justice presents a unique prism for understanding intimate partner violence through a social ecological framework that includes capitalism, oppression, patriarchy, and racism.¹ Their framework, “dangerous intersections,” articulates the complex and nuanced relationships of the multiple forms of violence that women, gender nonconforming, and trans people face living at the confluence of racism and sexism, as well as other oppressions.² This belief is built upon an understanding that intimate partner violence is connected with the other forms of violence fostered by various structures of violence and a culture of punishment, including mass incarceration. These forms of oppression are present in our national culture, our states, regions, neighborhoods, and homes. As such, preventing partner violence requires an intersectional approach to building safe and equitable communities healing from trauma, restoring relationships, dismantling patriarchy, and eliminating unjust conditions and racist systems that produce violence.

This paper aims to extend the dialogue that leaders from INCITE! and other radical feminists have been outlining for decades. It centers the experiences of women of color and people harmed by their partners, tying violence against women to broader activist movements advancing racial justice, and lifts up the leadership of survivors who live at the margins. In papers, books, and conference proceedings, leaders from this collective have articulated powerful interventions that are culturally rooted, community owned, and operate at the nexus between race and gender.

While this analysis has become more broadly adopted in the past few years, these leaders have long understood that the criminal-legal system does not provide sustained safety for people harmed by their intimate partners, address the inequitable conditions that foster violence, or effectively contribute toward the healing and behavior change of people who have caused harm and need help to stop using violence.

Healing Together is a campaign meant to prompt a paradigm shift in the field of intimate partner violence. In service to that vision, we encourage the engagement of those who identify as men to be partners in ending violence and advocates for specific reforms to the intimate partner violence response system. Healing Together reflects on the reality that the path to healing requires building strong, healthy relationships, between and among all members of our communities, and to make clear that our vision of safe, peaceful places is one that we must work to manifest, together.

As we continue to work across our movements for racial and gender justice, we invite you to join us. We do not have all of the answers on this journey to end domestic violence, but we know the direction of collective liberation. Together, we can move beyond attempting to seek justice and improve safety through inherently unjust and violent systems, and toward peaceful and accountable communities full of the conditions and resources required to thrive.



Marc Philpart

Managing Director, PolicyLink

Principal Coordinator, Alliance for Boys and Men of Color

Executive Summary

Intimate partner violence (IPV) remains a frightening reality in the lives of far too many Californians. According to the National Intimate Partner and Sexual Violence Survey, about one in three California women will be harmed by a partner at least once in her lifetime. The lasting impact of intimate partner violence, a phenomenon that cuts across social, economic, and racial lines, can be grave and impose lifelong effects on a person's physical and mental health and economic well-being. For children who witness IPV, their brain development can be negatively affected, and their learning, behavior, and health deeply impacted—increasing the likelihood of using violence against a partner and victimization later in life. And the consequences of failing to appropriately address and end intimate partner violence can be deadly, with about 40 percent of all female homicides in the U.S. committed by an intimate partner, according to a report by Shannan Catalano from the Bureau of Justice Statistics.

For decades, women in the anti-violence movement have led the critical work of meeting the immediate safety needs of survivors—saving countless lives. As we build on these efforts to end partner violence, we must do more to address the structural inequities and system interventions that produce violence, unhealthy socialization of men, and intergenerational trauma—all of which contribute to violence against women.

Engaging men is imperative to ending intimate partner violence. In order to account for the pain and trauma women and girls live daily, traditional strategies and responses rely on punishment and criminalization to address men who have caused harm. Yet punishment is intrinsically reactionary and fails to transform the underlying roots of partner violence. The kind of accountability we envision goes beyond the adversarial Anglo-American legal system toward a model that holds both the needs of people harmed and the people causing harm. To get there, men and boys must confront current forms of misogyny and embrace healthier forms of masculinity that value women, trans, and gender nonconforming people as equal and worthy of dignity and respect. Men and boys must heal their own trauma and pain that too often ensnare them in replicating cycles of violence. But this is not their journey to sojourn alone; this path to healing must happen together,

as a communal response to injustice, with accountability to women and all those along the gender spectrum. When we sharpen our understanding of partner abuse beyond the typical victim-perpetrator binary, we develop the ability to see boys and men who have caused harm not just as people who have harmed, but also as survivors of violence, as our family and community members, and as potential leaders in interrupting violence—and therefore, people in need of greater investment and support.

This California-focused paper is a critical examination of the usual system responses to intimate partner violence that largely fail all those exposed to violence, ignore unique community and cultural assets, and are heavily reliant on the criminal-legal system.

In the U.S., decades of funding the criminal-legal system as the primary response to those who cause harm have failed to end intimate partner violence and keep families and communities safe, particularly low-income people and communities of color. This approach has perpetrated violence upon families of color, particularly Black, Latino, and Native families, by compounding the trauma of intimate partner violence with state violence meted out by racist paternalistic institutions. There is a growing understanding among organizers, practitioners, researchers, and advocates that this approach has deepened inequities and increased the risk of violence.

This report builds on a growing urgency for an approach that women of color have been promoting for years—an approach that shifts the narrative of accountability away from punishment and toward one grounded in community, healing, and transformative justice with the promise of more effectively ending cycles of violence through deep cultural and structural change and the meaningful engagement of their partners, specifically those who identify as male.



Men and boys must confront current forms of misogyny and embrace healthier forms of masculinity.

Summary of Policy Recommendations

Advancing policy and systems change is a key strategy with the potential to scale investments in prevention for those who cause harm and those who have been harmed. Without a series of reforms throughout the entire intimate partner violence response system and the institutions that are part of it, a radical paradigm shift will not be possible. The following recommendations represent a wide range of strategies which ultimately seek to prevent violence; build community-based alternatives to law enforcement and criminal-legal system involvement; and, should criminal-legal system involvement occur, limit the punitive nature of the criminal-legal system and boost opportunities for more effective prevention, healing, learning, support, and community engagement.

Align Infrastructure, Strengthen Leadership, and Boost Funding

Violence prevention infrastructure and funding is anemic and misplaced throughout state government. A number of policy proposals have the potential to scale prevention efforts through increased funding, strengthen the leadership for violence prevention by creating a new statewide office, and consolidate the efforts of other offices that center the leadership of people directly impacted by violence.

An apt illustration can be seen in California's opportunity to create the Office of Safe Communities that would help address the need for a coordinated statewide approach to ending all types of violence, as envisioned in Assembly Bill 656 (E. Garcia, 2019). The Office of Safe Communities would expand community-based solutions to ending violence, prioritize prevention and interventions that address root causes of violence, and include people impacted by violence in the development of a statewide plan for safe communities.

Reimagine Intimate Partner Violence Intervention Programs for People Who Cause Harm

As a society, our response to IPV should create space and listen to the voices of people who have been subjected to harm, many of whom desire to have their partners included in receiving support with the goal of ending violence. This set of recommendations proposes a shift in oversight of intervention programs, toward a model that is: rooted

in public health and racial equity; flexible and responsive to the needs of the whole family; includes community leadership; and seeks to continuously innovate and improve, while holding and honoring the complexity inherent in violence.

Maximize the Capacity of Schools to Serve as Prevention Centers for Youth and Families

Schools are a central place in the lives of youth and one where prevention programs and services can be deployed to generate greater impact early in their lives to interrupt cycles of violence. This area of work spotlights organizations advancing efforts in this arena and describes how schools can better leverage their central role in a child's life. By improving access to support staff, ensuring that all California schools become trauma-informed, and becoming leaders in prevention and healing-centered practices for the whole family, California schools have a critical role to play in ending cycles of violence.

Decrease Contact with Law Enforcement and Ensure Officer Accountability

As first responders to IPV, law enforcement can produce more harm than good, as evidenced by survivors' avoidance of the system, and increasing racial inequities in the criminal-legal system that harm people of color. A more hopeful vision offers a series of recommendations to shift away from a punishment-first response toward restorative community-driven responses that prioritize safety and accountability rather than isolation and arrest.

Limit the Negative Impact of the Criminal-Legal, Prison, and Child Welfare Systems

Agencies such as District Attorneys, the California Department of Corrections and Rehabilitation (CDCR), the Superior Court System of California, and Child and Welfare Services, can better account for and center the range of survivors' needs for support, the needs of individuals who cause harm, and the needs of families impacted by violence.

Introduction

“”

Healing Together means compassion + accountability. People who cause harm are whole, complex humans who are capable of change and growth with our support.

Virginia Duplessis, Futures without Violence



How society understands the roots and structures of violence will frame which tools are used in response. Our society has largely understood violence as an individual problem and responded to violence by punishing individuals. Not until recently have we deepened our understanding of violence as a public health problem or begun to listen to and lift up the voices demanding alternatives to law enforcement involvement, such as practices that are survivor-centered and community-based.

By rethinking our approach to intimate partner violence (IPV) through a public health framework, replacing the dominant criminalization strategy, the urgency of violence prevention is elevated, and we can intervene before harm occurs, rather than reacting and incarcerating. A public health approach (as described in the risk and protective factors section) compels us to closely examine the social determinants of health that drive violence such as poverty and adverse childhood experiences. It urges us to reconsider the cycles of violence many are trapped in, to address the unequal conditions that foster violence, and to revisit, how, if at all, we foster healing from the trauma violence imprints on our minds and bodies.

From the individual person causing harm, to the family, faith communities, public institutions, patriarchy, capitalism, and colonialism—all of these actors and systems play a role and should be examined and accounted for in a strategy to end violence. And as a country founded upon white supremacy, genocide, slavery, imperialism, and segregation, we must also account for the violence that was and is used to construct this nation and understand how it shapes our lives.

Our goal to end intimate partner violence requires us to lift up community-based, prevention strategies that account for and acknowledge structural oppression and institutional racism. This approach interrupts cycles of violence without inflicting more harm, addresses the conditions that produce violence, and uplifts the sanctity of every person.



And as a country founded upon white supremacy, genocide, slavery, imperialism, and segregation, we must also account for the violence that was and is used to construct this nation and understand how it shapes our lives.

Violence at Home and Within Communities

“”

My earliest memory, at the age of 3, was witnessing my father brutally attacking my mother. The violence that was produced in my home, I re-produced in the streets as a youth. I numbed my pain through violence because hurt people, hurt people. But now I've learned that healed people, heal people.

George Galvis, Communities United for Restorative Youth Justice (CURYJ)



Prevalence of Intimate Partner Violence

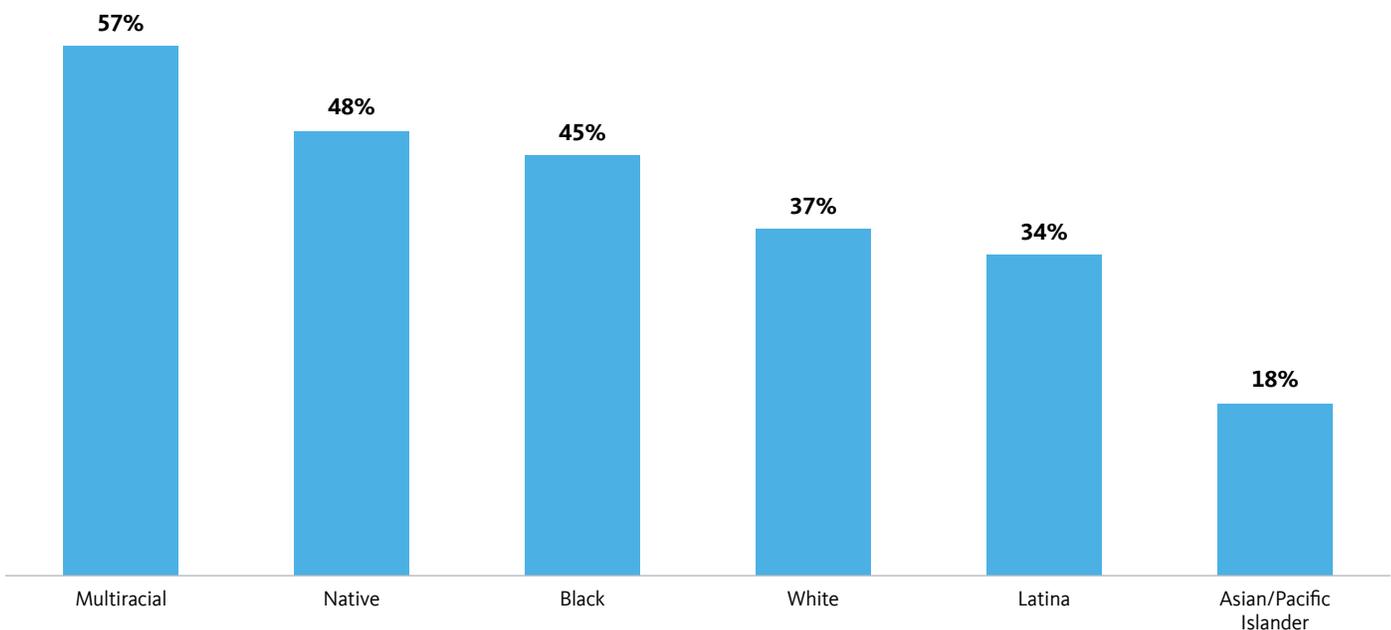
According to the National Intimate Partner and Sexual Violence Survey, more than one in three women (about 37 percent) in the U.S. report experiencing sexual violence, physical violence, or stalking by an intimate partner at some point in their lifetimes.^a According to a 2012 report by Shannan Catalano at the Bureau of Justice Statistics, though men also experience IPV, about four in five people harmed by an intimate partner are women.^b

IPV rates disaggregated by race and ethnicity show 57 percent of multiracial, 48 percent of Native American, and 45 percent of Black women reported having experienced partner violence in their lifetime. Though comparatively lower, White, Latina, and Asian Pacific Islander women experience lifetime prevalence rates of partner violence of 37, 34, and 18 percent respectively.³ These population-level estimates help assess the distribution, range, and magnitude of the problem, but they have limitations. For example, although IPV lifetime rates among Asian American women were lower than other racial and ethnic groups, as Doris F. Chang and colleagues report in a 2009 study published in the *International Journal of Law and Psychiatry*, a greater proportion of Asian American respondents reported

having harmed their partners than having been harmed—an anomaly not found in other racial and ethnic groups. As such, figures should be understood as reflections of their cultural contexts and considered low-end estimates rather than exact figures.

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- a Domestic violence is a serious and pervasive issue that cuts across social, economic, and racial lines affecting all communities in California. This report defines domestic violence, or intimate partner violence (IPV), based on the updated uniform definition put forth by the Center for Disease Control in 2015, which states, “Intimate partner violence includes physical violence, sexual violence, stalking and psychological aggression (including coercive tactics) by a current or former intimate partner (i.e., spouse, boyfriend/girlfriend, dating partner, or ongoing sexual partner).” Intimate partners may or may not be cohabitants.
 - b This paper makes an intentional effort to not dehumanize people by defining them by past actions or events in their lives. Rather than label people as “offenders, perpetrators, or batterers,” we use phrasing such as “people who have caused harm.”

Lifetime Prevalence of Intimate Partner Violence for U.S. Women, by Race/Ethnicity

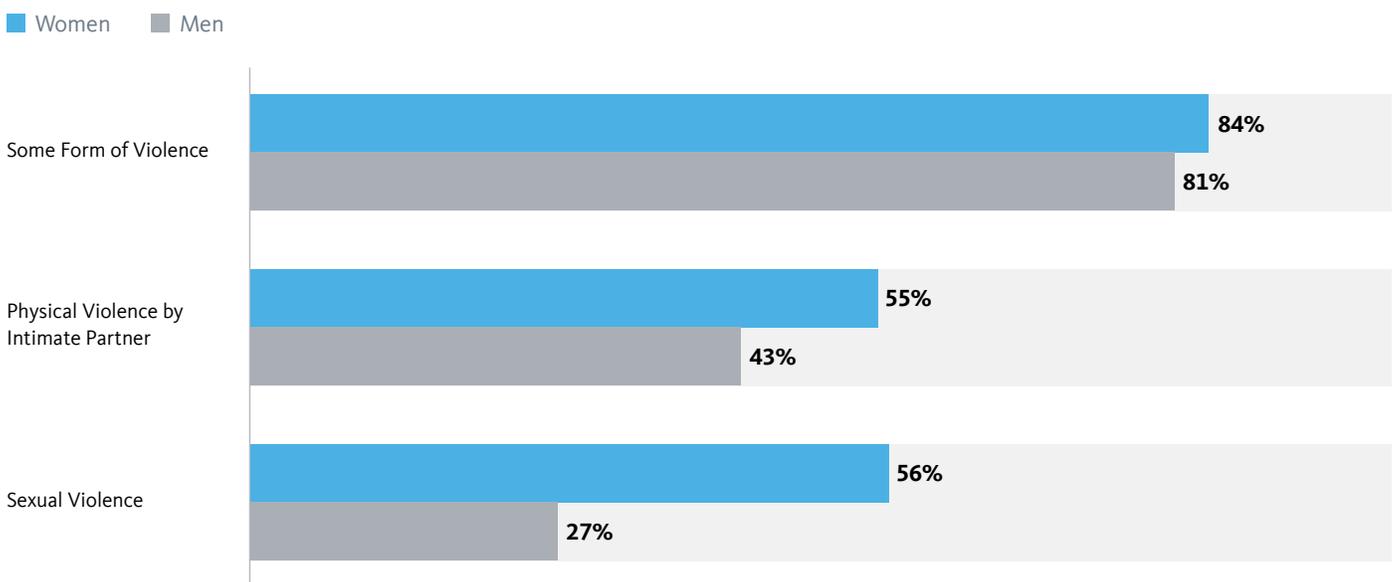


Source: The National Intimate Partner and Sexual Violence Survey: 2010–2012 State Report. **Note:** Lifetime prevalence includes contact sexual violence, physical violence, and/or stalking by an intimate partner.

A follow-up study to the 2010 National Intimate Partner and Sexual Violence Survey that combined nationally representative samples produced more robust estimates for Native communities in which rates of violence experienced by Native women and men across the U.S. were significantly higher than almost all other racial and ethnic groups. According to the National Institute of Justice study, 56 percent of American Indian/Alaska Native women in the U.S. have experienced sexual violence, and 55 percent have experienced physical violence by an intimate partner. The study also found that about 84 percent have survived some form of violence in their lifetime. For American Indian/Alaska Native men in the U.S., 81 percent have experienced some form of violence in their lives, 43 percent have survived intimate partner violence, and 27 percent have survived sexual violence.⁴ Violence by non-Native people against Native peoples is an important differentiating factor. About 97 percent of Native women and 90 percent of Native men have experienced harm by non-Native individuals. Notably, fewer Native women and men, 35 and 33 percent respectively, have experienced harm by a Native person.⁵

Intimate partner violence in transgender, gender nonconforming, and LGBTQ relationships is a vital yet underdiscussed dimension of intimate partner violence. Based on data from the National Intimate Partner and Sexual Violence Survey, bisexual women are harmed at the highest rates with about 57 percent reporting IPV—almost twice as likely as heterosexual women. Violence among lesbians was also reported at higher rates than heterosexual women.⁶ The same study found that bisexual men were harmed by an intimate partner at higher rates than heterosexual men. Additional research suggests that gay and bisexual men experience IPV at rates comparable to heterosexual women.⁷ Though more limited in the number of studies, data suggest transgender people experience IPV at some point in their lives at rates ranging from 31 to 50 percent.⁸ Undoubtedly, more research is needed on intimate partner violence rates among LGBTQ people which appears to be either comparable to or, in some cases, at higher rates than heterosexual and cisgender people.

Rates of Violence Experienced by Native American Women and Men



Source: André B. Rosay, “Violence Against American Indian and Alaska Native Women and Men,” *National Institute of Justice*, 2016.

While some women and gender nonconforming persons abuse their partners, the vast majority of those arrested and prosecuted for intimate partner violence are men. The data about persons who have harmed their partner, however, is less complete than data about persons who have been harmed. Most data available on IPV offense rates are primarily drawn from arrests and prosecutions—rather than incidents—meaning unreported incidents are not considered, thus limiting the ability to conclusively say to what degree men are harming their partners. Nonetheless, several studies and reports offer similar statistics that demonstrate men are the primary persons harming their partners. One study found men constituted 79 percent of all individuals arrested for partner violence.⁹ A second study found a similar rate of 77 percent of partner abuse was enacted by men.¹⁰ A third report by the Bureau of Justice Statistics found that three in four IPV incidents were committed by a male.¹¹ Despite growing statistical data describing the involvement of men in intimate partner violence, more research is needed. Few programs directly serve this group—and even less is known about the effectiveness of those efforts. In many instances, this dearth of research is due to explicit restrictions on public funding and a lack of interest by some in the domestic violence field in unpacking an individual's violent behavior and assessing interventions. This gap in understanding extends beyond programming to research and is, in part, a large contributor to why ending intimate partner violence is such an ostensibly intractable issue.

(Under)Reporting Violence

Numerous studies find a significant gap exists between prevalence and reporting of IPV, suggesting that underreporting is a serious and persistent unaddressed problem.¹² A study by the Bureau of Justice Statistics found that almost half of intimate partner violence, 46 percent, went unreported to police from 2006 to 2010. The reasons for not reporting IPV are myriad, but studies suggest a few key concerns. The most common reason for not reporting was fear of reprisal by the partner or getting them in trouble with the law (36 percent), and the second most common reason was that those harmed dealt with the incident in some other way (19 percent).¹³ And for many, as the data suggests, law enforcement's involvement may fail to meet their needs and cause additional harm.

A 2015 study by the National Domestic Violence Hotline explored the effect that law enforcement has on reporting partner violence. The study found that more than half of women experiencing partner abuse said calling the police would make things worse. One in four women subjected to IPV said that they would not call the police in the future. Two-thirds or more said they were afraid the police would not believe them or do nothing.¹⁴ For those who had previously contacted police for partner violence, one in two reported no impact on their safety, and one in three said that they felt less safe.

The role that police play in intimate partner violence is critical largely because the system design has situated the police as the primary responder, enforcer, arbiter, and reprieve in cases of partner violence. That more than one in six women harmed by an intimate partner refuse to call the police because they believe they'll be arrested by law enforcement, among other reasons, should raise grave concerns about relying so heavily on a criminal-legal system response.¹⁶

In too many cases, parents who have been harmed by a partner, particularly mothers of color, are in a vulnerable position of coming in contact with child welfare services who may deem that the abused parent "failed to protect" the child from witnessing intimate partner violence. Despite being the one harmed by an intimate partner, the parent suffering the violence is accused of negligence and at risk of having their child taken away. This creates a situation where a parent is blamed for the violence inflicted upon them and then further hurt when they lose custody of their child.¹⁷ As a result, parents may be unwilling to seek the support they need to be safe.¹⁸



For those who had previously contacted police for partner violence, one in two reported no impact on their safety, and one in three said that they felt less safe.

These figures may be yet further depressed given the current political environment that likely has an even greater chilling effect among immigrant communities. With increased border and immigration enforcement by the Trump Administration, the fear of deportation and family separation is very real for undocumented immigrant families. In 2017, LAPD Chief Charlie Beck suggested that the federal government's inhumane immigration policies were contributing to a climate of fear and a drop in the number of Latinos reporting sexual abuse and domestic violence in Los Angeles County, both of which decreased by 25 percent and 10 percent, respectively in 2017.¹⁹

The chilling effect is further magnified by the threat of Immigration and Customs Enforcement (ICE). An example of this threat is the alarming trend of ICE officers entering courthouses to make arrests of undocumented people in cities throughout the country. In New York state, courthouse arrests increased by 1,200 percent from 2016 to 2017.²⁰ This was the case in 2017 at the El Paso Courthouse in Texas, when ICE arrested an undocumented woman who was present to receive a protection order after having been harmed by her partner.²¹ This trend runs contrary to the long-standing norm that schools, courts, and places of worship have been off-limits to federal law enforcement for immigration purposes. The recent changes have meant that advocates and even system actors like judges have spoken out against this new practice of ICE courthouse arrests as increasingly marginalizing immigrant communities into the shadows and possibly furthering harm.²² Undocumented immigrant women who have survived domestic violence now face the impossible choice of either enduring the harm or calling the police and putting their loved ones and themselves at risk for immigrant detention and deportation. In California, the development of guidelines for the recently passed Senate Bill 54 (De León, 2017), also known as the "California Values Act," seeks to address some of these issues by specifically creating model policies which encourage access to local and state-run courthouses for all Californians regardless of citizenship status.

Relatedly, LGBTQ people in immigration detention are detained for almost twice as long and held in solitary confinement more often than heterosexual and cisgender people.²³ The recent death of Roxana Hernández, a transgender woman and asylum-seeker from Honduras, while in ICE custody raises alarms about the brutality transgender people deal with at the hands of immigration officials.²⁴ For immigrant women and LGBTQ people, calling the police and, in too many cases, by extension ICE, may further increase the risk of harm from incarceration and deportation and instead expose them to endure the harm by an intimate partner. Some of the most marginalized and vulnerable people like queer, trans, undocumented, and women often find themselves at the confluence of deportation, state violence, and intimate partner violence.

The challenge so many people harmed by IPV face is the indignity of being judged unworthy to receive help because they may not be the paradigmatic model victim. Whether they fought back against the person assailing them, or they are LGBTQ, a person of color, undocumented, or male, the toxic narrative exists wherein a model victim is passive, White, and straight.²⁵ Whether one falls within or outside of that model-victim paradigm influences one's willingness to report an incidence of partner violence to police or seek other assistance. In the case of LGBTQ people, seeking help from the criminal-legal system for IPV was a near impossibility when LGBTQ people were criminalized under state law. Up until *Lawrence v. Texas* was decided in 2003, an LGBTQ person seeking help might be forced to admit to "illegal sexual conduct" under state law in order to receive a protective order.²⁶ This criminalization of the LGBTQ community leaves a lasting legacy in the collective memory and behavior of people well beyond changes to the law.

Reporting IPV to law enforcement is often not an option for LGBTQ people. This is partially driven by concerns that calling might lead to being outed to family and friends, coupled with internal community pressure against contacting police. As a number of studies have found, LGBTQ people believe reporting IPV to the police may not be helpful. This finding aligns with research that LGBTQ people experience discrimination and harassment by law enforcement.²⁷ For example, a 2013 study found that almost three out of five gay and bisexual men believed reporting IPV to the police would be unhelpful.²⁸

The help-seeking behavior of people harmed by an intimate partner should also be a wake-up call that alternatives are needed in addressing intimate partner violence. A recent meta-analysis exploring the differences in the help-seeking response of intimate partner violence survivors by race and ethnicity presented an important finding.

The study found that White women who had been harmed by an intimate partner were more likely to pursue mental health and social services, while Black and Latina women were more likely to seek assistance of primary health care and law enforcement.²⁹ Though the reasons are unclear, research on mental health access suggests that White women may have greater access to mental health support and services than women of color. As the Office of the U.S. Surgeon General has found, these services are inequitably distributed with communities of color often receiving fewer services such as mental health than White communities.³⁰ Victim-centered approaches are vital since access to a greater variety of services can mean meeting the needs and desires of people subjected to harm more effectively. Instead, communities of color, including people of color harmed by their intimate partners, have little recourse but to turn to the police to solve the problem—despite the fact that more than 75 percent of survivors who contacted the police felt the intervention made no difference in their sense of safety, or made them feel less safe.³¹

Unhealthy male socialization can function as a deterrent to men who may seek help as survivors of partner abuse. Though sexist attitudes contribute to an environment that enables a greater likelihood of violence by men, patriarchy can also prevent men who have been harmed by their partner from feeling safe enough to obtain help. Normative attitudes about the model victim do not include men as victims, but rather as the primary perpetrators. This finding is corroborated in a 2017 study by Brenda Russell published in the *Journal of Crime and Justice* that found police officers perceived heterosexual women and gay men as least likely to harm their partners and increasingly likely to believe that male victims were more responsible for their own victimization.

Even more challenging to understanding the prevalence of IPV is the suggestion that men who have been harmed have often not understood their experiences as partner violence.³² However, men who do understand their experience as IPV and are looking for support have the most positive experiences seeking help from family, friends, and mental and primary health-care providers and historically have had the least positive experiences seeking help from domestic violence service providers, which have often been perceived to be designed for women.^{33,34} In recent years, policy changes such as the inclusion of nondiscrimination language in the Violence Against Women Act have helped to ensure that services are available to all, irrespective of gender (among other protected categories) and has meant many more domestic violence programs are providing services to a greater array of people.³⁵ While progress has been made, the obstacles facing men who have survived partner abuse often prevent them from seeking support.

Given the historic and current criminalization of marginalized communities, the potential harm of law enforcement involvement, and survivor reluctance to engaging law enforcement, it is clear that ensuring safety of vulnerable people requires the development of alternative, non-law enforcement systems of response.

Exploring the Roots of Violence

Since the 1970s, when the first shelter for women subjected to abuse opened in England, the battered women's movement has been fundamental in developing the theory and practice of addressing violence against women.³⁶ Over the years, as others have added to the collective understanding of violence, the result has produced a set of broad theoretical frameworks and empirical studies that underpin the current understanding of intimate partner violence. While individual theories have significant differences, one unifying thread is a focus on how social factors contribute to the phenomenon of violence. Feminist theory and social learning theory share an understanding of violence as a learned behavior strongly influenced and reinforced by environmental, social, and historical structures and inequities. And because violence is learned, it can be unlearned through changes to the social structures and conditions that shape us all.

Though IPV is experienced in all communities, socioeconomic context and inequities shape the distribution of risk and protective factors, mitigating and exacerbating the likelihood of partner abuse. Research has largely concluded that IPV is more likely to be associated with certain socioeconomic factors: "high unemployment, poverty, family fragmentation, economic hardship, and isolation from conventional society; all features that potentially reduce legitimate opportunity structures and weaken informal ties and social control, which are said to foster increased crime and violence."^{37,38} Chronic underinvestment in communities of color has produced inequities that can foster IPV and may result in low-income men and men of color being at a greater risk of experiencing harm and perpetrating harm, including partner abuse. Because these conditions are created through policy decisions, advancing policies that improve the well-being of marginalized communities can curtail violence.

Feminist theory, one of the most influential theories in the field, asserts that male violence toward women is connected to the devaluation of women, which is intrinsic to the patriarchal organization of society.³⁹ The behavior and attitudes men may hold about women are reflected in this power dynamic and gender inequality with masculinity presented as being authoritative and controlling of women. This framing upholds toughness and fearlessness as essential qualities of manhood and moments of powerlessness and shame as a threat to masculinity. In response, men may use violence as a means of reasserting their masculinity. Harmful norms about masculinity also limit the ability of men to be vulnerable and engage in opportunities for healing which, in turn, further ensnare them in cycles of violence.⁴⁰

Social learning theory posits that violence is taught and learned among members of a family or community. Through observation, imitation, and practice, a person who witnesses violence enacted by others learns to wield it as a tool and language. In this process, the use of violence is normalized and creates a set of behavioral guidelines for how a person should interact and communicate with other individuals and communities.⁴¹ This theory is supported by research findings that show boys who witness their fathers abusing their mothers as children are up to 63 percent more likely to harm a partner.⁴² Similarly, people who were abused as children are at greater risk of harming their partner or being abused as adults.⁴³

A key aspect of learning violence comes not only through witnessing it, but also surviving it. Danielle Sered, executive director of Common Justice, has observed this normalization of violence in her work with people who have caused harm. In sharing her experience, she notes,

"Every single one of our participants has reported witnessing and or surviving violence before committing it for the first time, and most have reported ongoing experiences of surviving harm interwoven with their experience of causing it. In other words, the experience of committing harm and the experience of surviving harm advance concurrently."⁴⁴



Because these conditions are created through policy decisions, advancing policies that improve the well-being of marginalized communities can curtail violence.

Culture also serves as a vehicle by which misogynistic beliefs can be transmitted and reinforced. In American culture, the media sends regular messages that devalue women.⁴⁵ But this communication of sexist attitudes is not unique to a specific culture, but rather different cultures communicate these attitudes within the distinct norms of each community.⁴⁶ When boys are taught that women are not equally respected, evidence suggests that they are more likely to abuse their partners in adulthood.⁴⁷ Simultaneously, hypermasculinity can deeply harm men as well. When men are socialized around expressions of aggression, then their opportunities to experience the full range of joy, care, and love may be limited.

Richard Edmond-Vargas's work inside California prisons to shift cultural norms of masculinity was featured in the CNN documentary *The Feminist on Cellblock Y*. In his experience, "If a man is not willing to break patriarchal rules that say he should never change, he'll turn away from loved ones and choose his manhood over his personhood."^{48,49} To break the intergenerational transmission of unhealthy forms of masculinity, particularly for men of color, efforts to upend and transform these attitudes toward healthier manhood and personhood require culturally rooted interventions.



This does not imply that people living in economically insecure communities are intrinsically more violent, nor does it imply that IPV doesn't occur in affluent communities, but rather that poverty itself is a form of structural violence that produces environments where people are at increased risk for experiencing and perpetuating intimate partner violence.

Risk and Protective Factors

Prior to the battered women's movement of the 1970s, intimate partner violence was largely understood by academics as a psychopathological phenomenon that required therapy or medication.⁵⁰ However, if IPV were an individual phenomenon, we would expect a more random distribution of violence across communities, yet the literature suggests that IPV is associated with certain socioecological and system-related factors. A recent report by Blue Shield of California Foundation entitled *Breaking the Cycle: A Life Course Framework for Preventing Domestic Violence* offers a useful three-tiered model illustrating the nested factors that drive the prevalence of intimate partner violence.^c Within this nested model, situational factors at the individual-level like alcohol abuse, which can contribute to violence, are often influenced by intermediate life course and development factors like child trauma and, moreover, by structural and cultural factors like unhealthy forms of masculinity.⁵¹ As we will discuss further in this section, an understanding of the risks that contribute to violence and the protective factors that build safety is critical to ending cycles of violence.

The first step in understanding the social determinants that impact partner violence is to examine the structural conditions and associated risk and protective factors. Research suggests that neighborhood and community-level socioeconomic factors like the unemployment rate, per capita income, poverty rate, and education are most commonly associated with partner violence.⁵² A National Institute of Justice (NIJ) paper found that IPV against women occurred more frequently in economically disadvantaged communities. Women residing in these communities were more than twice as likely to be harmed by a partner than women residing in more affluent communities. White and Black residents living in impoverished communities with similar economic characteristics were equally as likely to be harmed by a partner.⁵³ This does not imply that people living in economically insecure communities are intrinsically more violent, nor does it imply that IPV doesn't occur in affluent communities, but rather that poverty itself is a form of structural violence that produces environments where people are at increased risk for experiencing and perpetuating intimate partner violence.

^c PolicyLink and the Alliance would like to acknowledge Arnold Chandler and Tia Martinez of Forward Change in working with Blue Shield of California Foundation to offer this pioneering research analysis and framework for the domestic violence field.

For example, one study found that financial stressors like utilities nonpayment, housing nonpayment, food insecurity, and disconnected phone service were associated with an increased likelihood of physically harming an intimate partner. In particular, the odds of harming an intimate partner were more than double among those who were evicted.⁵⁴ Conversely, strong social support in the form of help from neighbors and a sense of cohesion and connection within a community have been found to be protective factors that decrease the risk of IPV.⁵⁵

Childhood experiences, both positive and negative, have a significant impact on people in adulthood. More specifically, adverse childhood experiences (ACEs) are a set of negative experiences that affect a child, and may include physical, emotional, or sexual abuse, witnessing violence, having a member of the household incarcerated or suffer from substance use disorder.⁵⁶ In 1998, Kaiser and the CDC published the first study on the topic in which the term “adverse childhood experiences” was coined to describe the phenomenon. The landmark study provided the first evidence on how ACEs can have lasting effects on people’s long-term well-being by increasing the risks of a wide range of negative health (diabetes, STDs), behavioral (alcohol and drug addiction), and life outcomes (lost time from work, education).^{57,58}

Research examining the relationship between ACEs and intimate partner violence has consistently shown a strong link between the two. The Kaiser-CDC study found that childhood exposure to intimate partner violence increased the risk for intimate partner violence as adults. The effects, however, were different by gender. Boys who witnessed IPV were more likely to harm their partners as adults, while girls who witnessed IPV were more likely to be harmed by their partners as adults.⁵⁹ Similarly, the experience of physical or sexual abuse as a child leaves adult men at an increased risk of abusing their partners, while girls who experience abuse as children are at an increased risk of being abused by a partner as adults.^{60,61} Furthermore, the impact of trauma on children is cumulative. In her 2018 book, *Decriminalizing Domestic Violence: A Balanced Policy Approach to Domestic Violence*, Leigh Goodmark, professor of law and director of the Gender Violence Clinic at the University of Maryland Carey School of Law, draws from previous research in noting:

...the greater the number of adverse experiences in a child’s life, the greater the likelihood of perpetration or victimization in intimate relationships. Exposure to four or more adverse childhood experiences increased the risk of perpetrating intimate partner violence five times.⁶²

The effect of adverse childhood experiences that center on family violence (physical abuse, sexual abuse, or witnessing IPV) creates a cycle of violence that is first experienced as a child and then recreated and reexperienced in adulthood. As Blue Shield of California Foundation found in *Breaking the Cycle*, early childhood exposure to interparental violence and child abuse can increase the likelihood of a child developing insecure attachment, emotional regulation problems, and negative models for conflict resolution.⁶³ The adage that *hurt people hurt people* is reflected in the literature as men—particularly men of color who are disproportionately exposed to conditions that produce violence—experience and observe violence as children and face increased risk of being trapped in and furthering these vicious cycles of violence into adulthood.^{64,65}

In examining situational factors at the individual level, the role of substance abuse, specifically alcohol, has been demonstrated through extensive research as one of the most powerful modulators of intimate partner violence.⁶⁶ Moments of anger and jealousy, coupled with alcohol abuse, are hypothetical scenarios of how violent episodes of intimate partner violence can be “sparked.” Substance abuse, in a volatile situation, can add fuel to the fire while having disparate gender effects, as research has demonstrated. In one study, alcohol abuse was associated with an increased risk for male-to-female partner violence, yet female alcohol abuse did not increase the risk of any type of partner aggression.⁶⁷



Strong social support in the form of help from neighbors and a sense of cohesion and connection within a community have been found to be protective factors that decrease the risk of IPV.

Parental alcohol abuse can also affect related risk factors. For example, children growing up in a home where alcohol abuse persisted are often exposed to other ACEs including both mother and child abuse, which in turn increase the likelihood of future intimate partner violence incidents.⁶⁸ In other words, men who abuse substances, particularly alcohol, are more likely to have been harmed or witnessed harm as children and are at a greater risk of harming their partners. Relatedly, teen dating violence has also been associated with early sexual activity and alcohol use.⁶⁹

Risk factors can be self-reinforcing, co-occurring, and deeply interconnected. Without sufficient protective factors, families can be trapped in cycles of poverty and violence. For example, poverty creates environments with higher levels of risk factors for ACEs. This increases the likelihood of being pushed out of school, which, in turn, can influence a person's likelihood of experiencing or remaining in poverty, which impacts exposure to violence, which impacts economic stability.^{70,71} But these cycles are not fixed; by investing in the inherent assets of every community, and ending practices that exacerbate racial inequities, they can be dismantled.

Focusing on trauma is an important place to start, but the conversation shouldn't end there.⁷² Lifting up protective and resilience factors is pivotal in mending and transforming adverse experiences. Given how impactful poverty is in increasing the prevalence of ACEs, policies that address poverty, particularly concentrated neighborhood poverty, access to affordable housing, childcare and early education, and health care, especially mental health services for both children and parents, can transform conditions that foster adverse childhood experiences and IPV.⁷³ Considerable research has also focused on interventions at the family level. A 2018 study focused on identifying resiliency factors within families that could interrupt the intergenerational cycles of trauma. The study found that open communication, expressions of love, and close relationships support healing from trauma.⁷⁴ These factors highlight the importance of policies that bolster familial strengths and support safe, stable, and nurturing relationships between intimate partners and children.⁷⁵



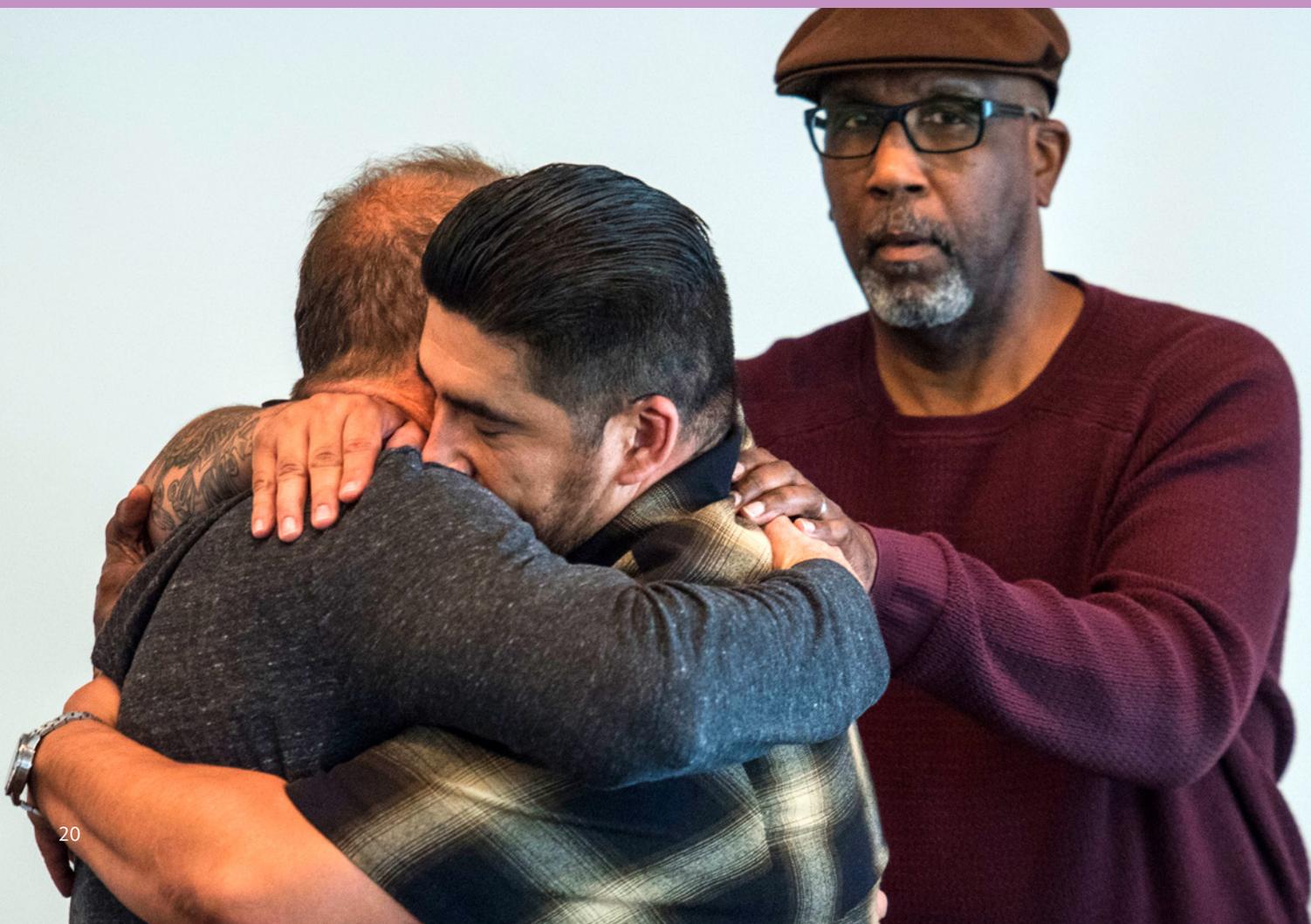
Focusing on trauma is an important place to start, but the conversation shouldn't end there. Lifting up protective and resilience factors is pivotal in mending and transforming adverse experiences.

A Failing Response to Crisis

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My dad went to prison for domestic violence multiple times—it only made the violence worse. We needed a trauma recovery center back then; they could have helped him and our family to heal and be safe.

Peter Elias, Fathers and Families of San Joaquin



Criminalization Fails Women and Communities of Color

The primary response to partner violence for those who have caused harm, and in many cases the only response, is the criminal-legal system.⁷⁶ Over the last four decades, imprisonment has skyrocketed by over 500 percent with the greatest disparities felt by communities of color, particularly Black, Latino, and Native communities.⁷⁷ The criminal response to IPV has increasingly relied on the use of policies such as mandatory or pro-arrest laws, minimum sentencing, and no-drop policies during prosecution.⁷⁸ A system that is almost exclusively reliant on law enforcement and punishment, institutions that systematically punish Black and Latino people more often and more harshly, is a system that is not designed by or for survivors or communities of color, and risks marginalizing people who are in need of support. Leigh Goodmark details the inordinate funding dedicated to a criminal-legal system response to IPV:

Since VAWA's (Violence Against Women Act) passage, the Office of Violence against Women has awarded \$5.7 billion in grants. The majority of that funding has been dedicated to the criminal legal system, and over time the disparity in funding between grants to the criminal legal system and those to social services has grown substantially. In 1994 62 percent of VAWA funds were dedicated to the criminal legal system and 38 percent went to social services. By 2013 social services authorizations made up only about 15 percent of VAWA grants.⁷⁹

Decades of disproportionate funding for a criminal-legal system approach has left funding for alternatives nearly nonexistent. With 46 percent of partners subjected to abuse not utilizing the criminal-legal system, as described earlier in a study released by the Bureau of Justice Statistics in 2012, it is time to acknowledge that the current response does not meet the needs of many survivors. Their voices are often rendered to a mere page through the victim impact statement and their questions rarely, if ever, answered through a court system where on average 94 percent of state-level convictions are the result of plea bargains.⁸⁰ As Danielle Sered writes, "Their questions are unanswered, their voices excluded, their input legally not required."⁸¹

Even for people who come into contact with law enforcement, pressing charges or cooperating with law enforcement may not be what a person harmed by a partner wants or needs. As the National Domestic Violence Hotline survey found, 75 percent of women who called the police reported that law enforcement involvement had either no impact on their safety or made them less safe. The recent killing of Delashon Jefferson, 20, a young Dallas mother who was eight months pregnant when she was shot and killed by her partner illustrates the tragic failure of our current approach.⁸² The heartbreaking murder revealed a startling pattern. At every turn, Jefferson and family members were hesitant to cooperate in the prosecution and incarceration of a person they hoped would get better and end his violence.

The failure to provide nonpunitive interventions for this family proved to be fatal. The lack of available alternatives speaks to the way in which we as a society need to shift our thinking and approach to intimate partner violence toward centering the voices and needs of people subjected to harm, and develop community-based support systems, resources, and access to opportunities for healing.

If we are genuine about identifying the root causes of violence facing survivors, we must be attuned to their wide range of needs that go beyond the criminal-legal system. By shifting funds toward responses that center the needs and desires of people subjected to harm, while also focusing on providing services to people who cause harm so that a process of meaningful accountability and healing can occur, we can address the root causes of violent behavior and achieve more lasting safety.^{83,84}

More Harm Than Good

Though we can never know with certainty why Jefferson and others refrained from working with law enforcement, research suggests there are several reasons. The rise of mandatory and pro-arrest laws as a response to intimate partner violence has resulted in an increase in dual arrests in which both parties, including the person harmed, are arrested. These practices are particularly harmful to women of color, who are more likely than their White peers to be criminalized. Policy efforts to curb dual arrests have resulted in the implementation of primary aggressor laws that require law enforcement to identify who was primarily responsible for the harm in making an arrest, but the effects of these policies have yet to significantly reduce dual arrests.⁸⁵

Reporting to law enforcement can expose people subjected to abuse to additional forms of trauma, such as losing custody of a child. When children are present in a home where intimate partner violence has occurred, Child Protective Services (CPS) will be contacted. A 2015 ACLU study on sexual assault, domestic violence, and policing, found that survivors were often threatened by CPS that they would risk losing custody of their children if the survivor didn't file charges against their partner. Respondents to the study shared that police often threatened to remove their children if they had to "come back to the residence one more time."⁸⁶ Experiences like these are unfortunately all too common and reinforce the already deeply held reservations communities have about contact with systems.

But what happens when a victim, rather than call the police, fights back against the person abusing them? After years of abuse by her partner, Catina Curley fought back by shooting and killing the man who had harmed her for over a decade. Curley was convicted of second-degree murder and sentenced to life without parole. However, at no point during her trial did her attorney bring to the fore her decades-long abuse at her partner's hands.⁸⁷ On March 1, 2019, Catina Curley was acquitted in the killing of her husband, in which a judge found that the killing was justified, citing his history of physically abusing her.⁸⁸

Marissa Alexander was sentenced to 20 years for firing a warning shot at her husband who threatened to kill her. As journalist Josie Duffy Rice writes, "The national average sentence for men who kill their female partners is two to six years in prison. In contrast, women who kill their male partners are sentenced to an average of 15 years ... despite the fact that many of these women killed in self-defense."⁸⁹

However, all punishment for surviving is not distributed equally. Women living in poverty and women of color are more likely to be criminalized and punished for surviving violence than their White peers.⁹⁰ Too often, the only options available to people experiencing violence are either silence, contacting police, or fighting back against the person causing harm, a particularly dangerous decision for marginalized women. As Grace Huang from Asian Pacific Institute on Gender Based Violence remarks, "Unfortunately, our field has grown in such a way that our only solutions are to send people to a shelter or call the police. Why are the only resources that are available [not until] after the fact? How do we get upstream and build support systems and structure around them?"⁹¹

As noted earlier, traditional gender role norms and misogynistic attitudes can contribute to a greater willingness to accept violence toward partners. However, we must question whether the use of a criminal-legal response that yields the ultimate power of incarceration might not further exacerbate matters rather than prevent or deter partner violence. Prison culture in the U.S. can breed and nurture profoundly more toxic misogyny and homophobia where norms are enforced through violence.⁹² A 2012 study examining formerly incarcerated individuals in Oregon found that at least 25 percent had perpetrated some type of violence against their partner within the first few years post-release.⁹³ In the story of Delashon Jefferson mentioned earlier, her partner had been to prison and yet his violence had only escalated, not been deterred, urging us to reconsider whether incarceration is an effective antidote to violence.

There can be significant barriers for men seeking help in ending abuse. Help often comes after a criminal conviction in which a person who has caused harm is sentenced to an intervention treatment program. Along with a conviction and mandatory program participation, individuals can face steep fees and fines—adding financial stress and increasing the risk of IPV. One story of a man from Bakersfield shines a light on how the current system still needs improvement. J.D. Foster, a father of six children and stepfather of two, was sentenced to a 52-week batterer intervention program. As he recounts, “You pay to sit down and listen until the hour is up... They don’t care if you learn anything.” Despite Foster completing the program, he felt he needed to receive meaningful help in living a better life for his children, so he sought a different type of treatment program. The intervention program Foster ultimately enrolled in was one designed to unpack trauma and address adverse childhood experiences. As Foster says, “After the first two sessions, I was ecstatic. They don’t play the blame game. This was about how to fix yourself.”⁹⁴ Greater room for innovation of intervention programs could assist in moving the state toward a different approach to people who cause harm. In 2018, California passed into law Assembly Bill 372 (Stone), which authorized six counties to offer alternative programs and treatment flexibility for individuals who have harmed their partners. The development of these alternatives is currently underway, signaling a step in the right direction.⁹⁵ Engaging men in thoughtful and dignified ways that move beyond the pain and shame can be a fruitful way of shepherding more meaningful healing opportunities.

Policy Recommendations

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There's so much knowledge and power in our communities. How do we support deeply impacted folks in bringing that knowledge to our thinking of what solutions can be?

Jessica Nowlan, Young Women's Freedom Center



As a state that has begun to embrace promising criminal justice reform policies over the last decade, California has an opportunity to model for the rest of the country reforms and innovations that affect the root causes of violence without further criminalizing communities.⁹⁶ This section outlines a suite of policies and practices for intimate partner violence prevention and intervention. It is a bold approach that centers safety by supporting and addressing the needs of those who use violence. The state of California has made it difficult to provide services for the person who is doing harm, and yet, it is necessary if we want those who use violence to cease engaging in that behavior.

Given the racial inequities in the criminal-legal system and the disproportionate rates of violence against women of color, it is imperative that those who identify as males of color, in particular, become a focus within intervention, prevention, and advocacy efforts. Moreover, boys and men of color must engage fully to prevent, intervene in, and end cycles of harm and violence. In this new paradigm, boys and men of color must have an opportunity to address their own trauma and healing and contribute to keeping their homes and communities peaceful and free from harm and violence.

The following policy recommendations can transform systems and promote peace and safety. Where appropriate, the recommendations are punctuated by brief highlights of programmatic innovations that demonstrate the effectiveness and feasibility of the ideas and aspirations of the policy goals.

Align Infrastructure, Strengthen Leadership, and Boost Funding

Establish a Central Office to Advance a Strategic Plan and Manage Programs for Violence Prevention

California's current policies respond to all types of violence primarily through the criminal-legal and child welfare systems in a reactionary fashion, rather than a preventative one. This is the case even though the United States Surgeon General declared violence as a public health issue 40 years ago.⁹⁷

In accordance with our assertion that a public health approach is needed to ending violence, we call for the creation of a statewide office, as would be established by Assembly Bill 656 (E. Garcia), focused on managing and advancing a plan for violence prevention, peace promotion, and community safety. The Office of Safe Communities would help lay the foundation for a comprehensive violence prevention strategy with violence reduction goals that take on a social justice and ecological approach recognizing the relationship between different forms of violence, the role of social determinants of health, and behavioral factors. The office would be tasked with developing, approving, and overseeing intervention programs for people who cause harm, including curricula and training. This new office could also align statewide violence prevention funding, which is currently administered by the California Office of Emergency Services and the Board of State and Community Corrections. Neither of these two entities are ideal for housing violence prevention efforts, and being that they are administered in separate offices, coordination between grant programs is a challenge. A state agency with expertise in prevention is better equipped to develop strategies that address root causes and meet the diverse needs of survivors, their families and communities, including those who have harmed.

The Office of Safe Communities could be responsible for holding and effectuating a vision and roadmap for violence prevention, safety, and healing from trauma among California's most vulnerable communities, with resources aligned and deployed to accelerate population-level outcomes.⁹⁸ The office can be strategic and efficient by braiding this vision and plan with the governor's strategies for youth development, criminal and juvenile justice reform, among other areas of opportunity and alignment with violence intervention and prevention services.

In shaping the vision and plan, the office should create a dynamic and inclusive community engagement strategy that centers the voices of people directly impacted by violence and people who are actively promoting peace and healing in communities. Specifically, the office should create space to allow community meetings and the exchange of promising practices and related content that can expand and produce a robust understanding of innovative violence prevention and intervention approaches happening across the state.⁹⁹

With an understanding of the need for community-based approaches to violence prevention and healing, this office could support primary prevention programs like those at RYSE in Richmond and MILPA in Salinas, both of which are co-sponsors of the proposed legislation. One of the RYSE Center's core beliefs is that "all violence is structural violence, and harms and struggles in relationships are reflective of and connected to broader systems and conditions of distress."¹⁰⁰ RYSE members combine challenging these inequities and harms with creating and advocating for healing and just interventions that work for their community, including weekly peer-based groups that "invite young people to discuss issues affecting their lives in a supportive space and build capacity for disrupting IPV and its root causes."¹⁰¹ In Salinas, MILPA offers an Indigenous-based curriculum for young men and women to help develop the skills needed for healthy relationships, a political analysis of the roots of violence, and advocacy opportunities to change community conditions that produce violence.

In elevating these promising practices, the office should intentionally focus on building the capacity of efforts underway in communities throughout the state by providing technical assistance and support to accompany grantmaking activities which bolster the field. The activity in communities throughout the state should be complemented by coordinated violence prevention and intervention strategies across statewide agencies to ensure alignment that leverages a social determinants of health framework which includes individuals who have been harmed, individuals who have caused harm, and related individuals who have been impacted.¹⁰²

Make the California Victim Compensation Board More Equitable and Inclusive

The California Victim Compensation Board (CalVCB) is a state agency dedicated to providing reimbursement for many crime-related expenses to eligible victims who suffer physical injury or the threat of physical injury as a direct result of a violent crime. CalVCB funding comes from restitution paid through fines, orders, penalty assessments, and federal funds. In fiscal year 2016–17, the CalVCB distributed over \$53 million in assistance across the state. The CalVCB has been under criticism by social justice advocates in the past due to the denial of compensation request applications by victims and victims' families due to their alleged involvement in gangs, or illegal activity.¹⁰³

Currently, there are only three members of the CalVCB: The secretary of government operations, the state controller, and a governor-appointed member of the public, traditionally a representative from law enforcement. The public member appointee serves a term length that is at the pleasure of the governor, and there is no limit on the number of terms one can serve. The fact that the oversight for the California Victim Compensation Board only has one publicly appointed member—who is generally not someone who has survived or committed harm—is an equity and inclusion issue. While CalVCB convenes an advisory committee composed of various individuals, including domestic violence advocacy organizations, committee members are not empowered to make decisions about funding or the strategic direction of CalVCB. The small number of board members limits the diversity of the board and precludes it from reflecting the population of California and those most likely to be victims of violent crime.

To ensure CalVCB is more responsive to the needs of individuals and communities experiencing violence, we recommend restructuring the board into a seven-member body, expanding the number of members by requiring two members of the public who are survivors of violence, and two members who are public health professionals with proven expertise in trauma and healing. This would help ensure money goes to people in communities facing the greatest risk, and with the least resources, to help reduce the likelihood of violence impacting their lives.



It is time for California to recognize and invest in the inherent strength and ability of every community to foster well-being and safety.

Scale Prevention Efforts Through Greater Investments

During the 2018 and 2019 state budget process advocates in the domestic violence field proposed an increase in funding for sexual and domestic violence prevention and services. The budget request, “Prevention Works,” was co-led by the California Partnership to End Domestic Violence and the California Coalition Against Sexual Assault, with support from the Alliance for Boys and Men of Color. The Prevention Works coalition sought to secure \$50 million in ongoing funding for addressing sexual and domestic violence to be administered through the Office of Emergency Services via a competitive grant process. The proposal dedicated 50 percent of those funds for prevention, with the remaining funds earmarked for nonshelter-based services, research, and innovation. However, the state did not make this investment and instead only allocated \$5 million for a family violence prevention program, to be awarded competitively, along with \$5 million in one-time funding for the rape crisis centers to use for prevention programs. This demonstrates a lack of understanding of the importance of investing in prevention efforts and certainly a lack of commitment to curbing and eliminating domestic violence altogether.

The prevention budget prioritizes addressing root causes of violence in community-based settings. This strategy focuses on teaching safe and healthy relationship skills considerably earlier in life, improving school climate and safety, engaging boys and men in gender equity, and promoting racial justice with culturally responsive solutions.¹⁰⁴ This critical, but limited, funding stream allows organizations like Human Services Association and Para Los Niños in Los Angeles, and Indian Health Council in San Diego County, which have not been traditionally funded by the state to do IPV prevention work, to receive the resources they need to play a role in ending gender violence. Prevention should also include investing in Trauma Recovery Centers like the one managed by Fathers and Families of San Joaquin in Stockton, which helps survivors of violence who have historically not received adequate or culturally appropriate mental health support and care. Community-based organizations across the state are already engaging in prevention strategies; it is time for California to recognize and invest in the inherent strength and ability of every community to foster well-being and safety.

Reimagine Intimate Partner Violence Intervention Programs for People Who Have Caused Harm

Probation is central to the current intervention system. Since 1994 California law has required completion of a certified batterer-intervention program (BIP) for anyone who is convicted of domestic violence and granted probation.¹⁰⁵ BIPs are generally administered by probation in close partnership with the courts. In many jurisdictions, this includes a combination of partnerships with providers, programs, and institutions. The research that exists suggests that this population is mostly male, low-income, and disproportionately includes people of color.¹⁰⁶

Research to date on California’s intervention system indicates a lack of efficacy and an inability to fully meet the needs of low-income men of color trapped in a cycle of violence.¹⁰⁷ The empirical research supporting the effectiveness of BIPs appears to be mildly positive at best to inconclusive for the general population. Most BIPs are based on some variation of the feminist-psychoeducational or cognitive-behavioral therapy model, and while these approaches have broad empirical basis, their application in BIPs is less conclusive.¹⁰⁸ What is known with some degree of certainty is that BIPs have high dropout rates and that treatment comes only after a series of events have occurred including violence, arrest, prosecution, and conviction, all of which must happen for the average person to be in treatment.¹⁰⁹

The issue of gender raises major questions about the problematic nature of a system of batterer intervention programs that are, by and large, designed with a hetero-normative man in mind. Though partner violence is a gendered issue and those dynamics are central to understanding intimate partner violence, current intervention options rarely meet the distinct needs of those who fall outside of a cisgendered paradigm and often fail to address the various layers and complexities in identity that might lead to certain behaviors. Promising practices, like culturally rooted programs, offer individualized approaches, center healing, connection, and lift up the voices and deep cultural understanding needed to address violence in different communities.¹¹⁰

Though the state of California has recently launched a pilot program for new BIP practices, the reform efforts maintain the centrality of the criminal-legal system as the state's primary response to persons who have caused harm, deepening racial inequities. Given the systemic racism and violence embedded in the punishment system, truly ending patterns of violence requires a response that addresses root causes at the individual, community, and state level—and takes a public health approach to building well-being and safety.

Rethink the Approach of Intervention Programs

Probation departments encourage a punitive approach to rehabilitating those who have done harm through a criminalizing response to noncompliance of program participants and strong partnerships with law enforcement and service providers. County probation departments premise their involvement as focused on the safety of survivors and children, and yet, some openly admit that BIPs have no demonstrated effectiveness in ending violence.¹¹¹ In many BIP program guidelines provided by the county, there is little or no mention of meeting the needs of persons who caused harm in order to successfully change their mindsets and behaviors. Additionally, those who are at risk of causing harm or who have caused harm but are not engaged in the criminal-legal system generally do not seek to enroll in BIPs perhaps in part due to the stigma and shame believed to be associated with BIPs being only for people with convictions rather than open to people seeking help voluntarily. Rectifying these issues requires several dramatic shifts in policy and the culture surrounding BIPs and intervention programs more broadly.

Shift the responsibility for approval, oversight, standardization, and alignment of intimate partner violence intervention programs (IP) from probation to public health

The Centers for Disease Control and the World Health Organization agree that domestic violence is a public health issue. The administration of intervention programs should be informed through a public health lens by an entity familiar with the impacts of trauma, mental illness, social determinants of health, and addiction. While the particulars of how this transformation would function would need to be collectively determined, shifting this responsibility to public health would also allow for these services to be provided free from the stigmas and challenges that limit help-seeking behavior when these efforts take place in the criminal-legal system.

Precedence for shifting away from punishment system oversight to human services can be found in the youth justice system. Los Angeles County Board of Supervisors recently voted to explore transitioning supervision of youth out of probation and into another agency, following the recommendation of Youth Justice Coalition, a grassroots group of youth organizers with direct experience with probation and incarceration, currently and formerly incarcerated youth lifers, and their family members; and other advocates.¹¹² Additionally, Governor Gavin Newsom recently reorganized the state's youth prison system, Division of Juvenile Justice, out of the California Department of Corrections and Rehabilitation, and into the Department of Health and Human Services, bringing California in line with 20 other states that situate oversight within health and child welfare—not punishment systems.¹¹³

These examples speak to the growing understanding that health and human service systems are better positioned to support people in conflict with the law, including those who have caused harm.

Create a culture of flexibility and customization among IPs to address the nuanced realities of intimate partner violence and needs of the whole family

While some IPs are shifting, many IPs remain rigidly structured and created with an assumption that domestic violence occurs only at the hands of a heterosexual male, and that heterosexual men's sole purpose for perpetrating domestic violence is female subordination. This programmatic approach neglects the fact that:

- Domestic violence occurs in same sex, gay and lesbian couples;
- Domestic violence also occurs during incidents in which women are the primary person who causes harm;
- Many people who use violence have also survived violence; and
- People who harm partners may have contextual experiences that contribute to their violent behavior unrelated to the direct subjugation of women.

While most incidents of domestic violence are perpetrated by individuals who identify as male, the context of the person's racial/ethnic and gender identity, cultural and religious background, sexual orientation, age, employment history, academic background, and previous history of violence are all important factors to consider in structuring interventions to interrupt violent behavior.¹¹⁴

Additionally, using labels like “batterer” stigmatizes people who use harm, is not conducive to healing or behavior change, and doesn’t acknowledge the prior victimization and trauma people who use violence have experienced. Along with a reimagining of curricula, the program’s name should reflect this shift.

Skuy-ech-son’

Yurok Tribal Court

Klamath, CA

One promising program that weaves together a culturally rooted, community-based, and trauma-informed approach can be found in Klamath, California led by Judge Abby Abinanti of the Yurok Tribal Court. *Skuy-ech-son’*, a 52-week batterer intervention program, translates to “to heal oneself” in the Yurok language. The program serves as a form of diversion to serving time in jail under certain circumstances for Native people who have harmed their partners. Lori Nesbitt, the probation officer that facilitates the program, makes a concerted effort to humanize the participants, who are often men. She does so in various ways like shaking their hands and asking about their family as a way of recognizing their dignity and ensuring trust that in turn, she hopes, can allow for a more open dialogue. During group discussion, Nesbitt engages the participants in unpacking the way they’ve learned violence, where they first witnessed or experienced violence, and how they’ve enacted violence as a learned response throughout their lives. Violence, Nesbitt notes, is a symptom of deeper issues many participants experience stemming from childhood trauma.

One of the program activities that participants are asked to complete is to speak with a nonrelative elder in the community about their partner abuse. Nesbitt shares that often participants will report that the elders they speak with disclose their own experiences with partner abuse, either having perpetrated or experienced violence. The response is a realization that violence has been passed down generation to generation in community and within families through cycles of violence.

In pursuing connection to family and community, one activity allows participants to create a family tree. Nesbitt will ask about traditions that have been passed down in their families. From this exchange, participants will have a chance to engage in traditional practices like sweats, fishing, and basketry that cultivate stronger bonds to community and family. As Nesbitt notes, many don’t have these communal connections, so they fill the void with alcohol and drugs. To date, the program accepts referrals from neighboring counties and remains open to anyone. Nesbitt proudly notes that many participants who complete the program remain well beyond their court-mandated 52-weeks, stating that they want to continue learning and “adding tools into their backpack.”¹¹⁵

Expand access, develop additional programs, and meet participants’ diverse needs

Currently, IPs primarily serve individuals who are ordered by the court to attend. While many programs accept voluntary participants, the fees and stigma likely deter individuals who are harming others in their lives to seek out help on their own, before the criminal-legal system gets involved. For an individual seeking help to discontinue harm on their own, the options are extremely limited, particularly for low-income communities who are less likely to have adequate insurance coverage or resources for out-of-pocket mental health services. Revised IPs must:

- Serve those who want to voluntarily participate, those who have been exposed to or witnessed intimate partner violence as a child, and those who are mandated to participate.
- Create community among participants in ways that foster mentoring relationships, facilitate cohesion, and the solidification of shared values, accountability, and goals.
- Accommodate an expanded set of participants by developing additional programming that will appeal to a broader array of stakeholders. Currently, there are a host of private, nonprofit alternatives offered by organizations like A CALL TO MEN, Men Can Stop Rape, STAND! For Families Free of Violence, Homeboy Industries, and many others.
- Facilitate partnerships with other public and nonprofit service providers to meet the diverse needs of people who have caused harm, including: access to mental health or addiction treatment, housing, education, economic stability.

Domestic Violence Intervention Program

Homeboy Industries

Los Angeles, CA

In many ways, the program is similar to other 52-week intervention programs mandated by the court. In other ways, the program is distinct from the average BIP in its participants, approach, staff, and organizational mission. The program is designed to prioritize and serve gang-affiliated individuals who have harmed their partners. For Christy Stillwell, the program's facilitator, the work is personal. Stillwell identifies as someone who has both experienced violence and reproduced it. As a survivor of decades of partner violence, and a former gang member, Stillwell understands the needs and desires of gang-affiliated people and how best to support them in ending cycles of violence.

Most organizations, Stillwell says, don't want to go through the trouble of serving this population. She tries to earn their trust and meet them where they are. They often start by discussing past trauma, but rarely does anyone share—at least initially. Stillwell can understand not wanting to be perceived as a “victim”; during the years she was subjected to abuse she felt similarly. But once the discussion deepens, participants often begin unearthing the multitude of violent and traumatic experiences in their pasts that they've long denied and suppressed. In her experience, the ways society emotionally limits boys early on can impact them for life. She says, “We're setting up our boys for failure when we say boys don't cry. We're making them hard.” Because of the transformations she has seen in the men she works with, Stillwell is hopeful and optimistic that people in the program are learning conflict resolution, skills to manage their emotions, and developing a realization that they can make proactive positive choices that lead to healthier relationships in their family and communities.¹¹⁶

Make a commitment to research, evaluation, and continuous improvement of program implementation

While there is a lack of well-designed research on the effectiveness of BIPs, it is widely acknowledged among researchers and leaders in the domestic violence field that there is no conclusive evidence that BIPs change mindsets or reduce incidents of violence among participants. It is estimated that 40 to 60 percent of program participants drop out. Furthermore, recidivism rates of violence during or after completion of the program are high, and comparative studies have shown virtually no difference in recidivism rates between those who've participated in a BIP and those who have not.¹¹⁷ Given the absence of rigorous research and evaluation, a modest commitment to these areas by the state of California can go a long way toward strengthening program design and implementation of IPs.

Maximize the Capacity of Schools to Serve as Primary Prevention Centers for Youth

According to results from the National Survey of Children's Exposure to Violence, 49 percent of children and youth suffered two or more victimizations in the past year—such as physical abuse, sexual abuse, bullying, and exposure to intimate partner violence (IPV).¹¹⁸ Results from the same study found that 18 percent of children had been exposed to intimate partner violence in their lifetimes, and 6 percent had been exposed to IPV within the past year. In the 2016–17 school year, the average California public high school had an enrollment of 1,326 students. Assuming the study's findings hold true for California's high school student population, around 650 students in each high school have been victimized by at least two forms of violence in the past year, 238 have been exposed to IPV in their lifetime, and 80 were exposed to IPV within the last year. Yet, California has the second worst student-to-counselor ratio in the nation, at 708 students for every one counselor.¹¹⁹ The American School Counselors Association recommends a ratio no less than 250:1.

When children are exposed to IPV, it not only increases their risk of being direct victims, it also can contribute to their level of toxic stress, model violence as an acceptable behavior, and promote unhealthy norms of relationships that could carry over to adulthood.¹²⁰ This evidence is further supported by research demonstrating that children, males in particular, who

are exposed to intimate family violence are up to 63 percent more likely to become perpetrators of IPV themselves.¹²¹ When students are exposed to IPV, the stress results in trauma that can profoundly impact their health and can negatively affect their capacity to learn, as well as their social, emotional, and cognitive development. This trauma can result in increased absences, difficulty focusing in class, and distorted responses to adult figures.

California recently took meaningful steps toward addressing one dimension of violence impacting youth—teen-dating violence. In 2015, Governor Jerry Brown signed Assembly Bill 329 (Weber), the California Healthy Youth Act, which requires that all middle and high school students receive comprehensive instruction on sexual health and HIV prevention, with a strong emphasis on healthy relationships that are centered on mutual affection and free from violence.¹²² In Oakland, the Alliance for Girls partnered with the Oakland Unified School District (OUSD) to enact a new sexual harassment policy that more accurately reflects the needs of girls and, specifically, girls of color. The student-driven initiative produced a policy that centers the psychological and emotional health of the person harmed, eliminates language that places any blame on the person harmed, and applies an affirmative consent standard. Moreover, OUSD has trained staff and administrators in the new policy, so the whole school community can better identify and understand how to respond to sexual harassment.¹²³ System changes like the one at OUSD are an important step in addressing the culture and environment that allow teen-dating violence to occur, while shifting toward one that reaffirms and ensures greater safety for all youth.

Being that schools are the central place of community for children and youth, counselors and other support staff in schools can play a vital role in ending cycles of IPV by becoming trauma-informed, focusing on harm reduction, supporting students to heal from trauma as early as possible, and assisting parents and guardians in understanding the impact of violence on children and how to end it. Two studies found that adolescents were 10 to 21 times more likely to visit a school-based health clinic for mental health services than a community-health center or HMO.¹²⁴ While the research is clear on the benefits of school-based health services, our funding decisions continue to prioritize punishment, especially for Black and Latino students. Fourteen million students are in schools with police but no counselor, nurse, psychologist, or social worker. And according to the Department of Education, “Latino students are 1.4 times as likely to attend a school with an SLEO (sworn law enforcement officer) but not a school counselor as white students; Asian students are 1.3

times as likely; black students are 1.2 times as likely.”¹²⁵ Rather than investing in police and the criminalization of student behavior, California’s youth would be better served by increasing funding for student support staff like counselors and psychologists than school police.^{126,127}

California Should Drastically Improve Access to School Counselors, Psychologists, and Social Workers

According to the National Survey of Children’s Exposure to Violence, school authorities were aware of only 22 percent of past-year incidents where a child has witnessed domestic violence. Thus, while a significant number of children and youth have had traumatic experiences, in many cases the exact sources of their trauma may never be known. Still, the state should accept and anticipate the needs of students according to the overall trends in their communities and provide adequate access to school counselors, psychologists, and social workers. Effective policymaking should recognize the need for deepened expertise among these professionals on the topics of intimate partner violence and sexual assault in working with youth in these settings. Alarming, 29 percent of California school districts have no counseling programs at all.¹²⁸ Even worse is the fact that only 35 percent of California children who reported needing help for emotional or mental health problems received counseling. California needs to use equity as a guide and fund student support staff and systems that ensure communities experiencing greater risk of violence, and with fewer protective factors, have equitable access to school social workers, counselors, and school psychologists.

Ensure All California Schools Become Trauma-Informed with Healing-Centered Engagement

In California, 42 percent of children and youth have suffered from at least one adverse childhood experience (ACE)—a physical, social, or emotional event that is stressful or traumatic. Becoming a trauma-informed school begins with ensuring all teachers and staff are trained with deep understanding of the impact of trauma on behavior and academic achievement. This understanding is then used to inform school policies, practices, and overall culture. Effective trauma-informed schools center their work on the relationships with students and their families and embrace the idea of the school as a place where all students feel safe, accepted,

welcome, and are able to heal. These schools utilize positive and culturally responsive school discipline practices that do not suspend and expel students for misbehavior. Teachers and staff in trauma-informed schools are sensitive to potential cues and triggers that students may have. Not only do trauma-informed schools have adequate mental health services, they utilize a multitiered system of supports including promising and evidence-based practices to help students heal from trauma, such as restorative circles, cognitive behavioral interventions, and positive behavioral intervention supports.

Embrace the Community Schools Model

According to the Coalition for Community Schools, community schools bring together many partners to offer a range of supports and opportunities to children, youth, families, and communities. All of the above listed recommendations are elements that would exist in the type of community school model this paper envisions. Community schools create a collaborative framework where public sector and community partners work together to ensure that children are ready to enter school; students attend school consistently; students are actively involved in learning and their community; families are increasingly involved with their children's education; schools are engaged with families and communities; students succeed academically; students are healthy—physically, socially, and emotionally; students live and learn in a safe, supportive, and stable environment; and communities flourish.¹²⁹

Ideally open seven days a week, community schools operate as educational institutions, health clinics, and community centers simultaneously. Community school models are a powerful antidote to child and family trauma due to the unique partnerships they can have with outside health and social service providers, the involvement of community members at all levels of the school leadership, expanded access to a safe place, and centralized services among providers with whom students and families already have relationships. Building on the unique needs and strengths of every community, this model provides an opportunity to offer community-based IPV prevention and intervention support to students, families, and residents.¹³⁰

In Touch with Teens: A Teen-Dating Violence Prevention Program

Peace Over Violence

Los Angeles, CA

Across Los Angeles, middle and high school students are engaging in discussions about the roots of violence. In this classroom-based program facilitated by Peace Over Violence (POV), a local/statewide violence prevention organization, students use the visual of a tree to think critically about the many forms of violence against women. By listing the various types of violence such as harassment or rape, students are then challenged to examine the institutions that facilitate and reinforce this behavior like popular media, religion, schools, laws; and then to think about how sexism, racism, and homophobia connect to those systems. Together, the students create a powerful image about the roots and intersections of violence against women, and communities.

As Melodie Kruspodin, policy director for POV describes, discussions like these engage and empower students around issues they are already grappling with. In Touch with Teens is designed with 16-20 hours of instruction, though the program's flexibility allows for adaption to the classroom. The program has been adopted by numerous schools across Los Angeles Unified School District with the goal of providing instruction on healthy relationships and preventing teen-dating violence.

Because of the program's success in engaging youth around difficult issues like sexual assault and dating violence, the curriculum was selected by the U.S. Department of Health and Human Services as one of five model youth-violence prevention programs in the nation.

At its heart, the curriculum's approach seeks opportunities to break cycles of violence early on. As POV Executive Director Patti Giggans remarks, "If people can learn violence, they can unlearn it—if they talk about it, they can change it."¹³¹

Decrease Contact with Law Enforcement and Ensure Officer Accountability

Increase Transparency of Police Records

In 2018, a coalition of organizations,^d including the Alliance for Boys and Men of Color/PolicyLink, was successful in passing Senate Bill 1421 (Skinner) into law. SB 1421 is a landmark police transparency bill that ensures the public has access to the records of officers who engaged in acts of violence or misconduct or were found guilty of sexual assault.¹³² Communities should know if police officers who are responding to the most sensitive of situations and crises in their communities have been found to be perpetrators of sexual violence. Transparency will allow law enforcement agencies to know this important information when they hire new officers into their agencies, and it will allow communities to hold their officers accountable should they be found guilty of this harmful behavior.

Not only will information on police use of force and misconduct help decrease violent victimization in the form of police brutality and improve accountability by revealing officers who have falsified reports, manipulated arrests, and lied to judges and prosecutors, but research also suggests that domestic violence in law enforcement families is four times higher than the national average.¹³³ Furthermore, while more research is needed, current evidence suggests that sexual assault by police officers is suspected to be alarmingly high, based on police complaint analysis and anonymous victim surveys.¹³⁴ There is a need to make available to the public the records of officers who have had sustained allegations of sexual assault on the public in an efficient manner. Since the January 1, 2019 implementation date of SB 1421, law enforcement agencies have received a bevy of requests creating a considerable backlog and inhibiting the ability of the public to access information.¹³⁵ In order to ensure transparency, agencies must align records-keeping systems with the delineated categories in SB 1421 and allocate appropriate resources to fulfilling records requests.

^d Co-sponsored by the Alliance for Boys and Men of Color, ACLU of California, Anti Police-Terror Project, Black Lives Matter California, California Faculty Association, California News Publishers Association, Communities United for Restorative Youth Justice, PICO California, PolicyLink, and Youth Justice Coalition.

Transparency is critical for many reasons.¹³⁶ An article in *The Atlantic* points out that, “Several studies have found that the romantic partners of police officers suffer domestic abuse at rates significantly higher than the general population. And while all partner abuse is unacceptable, it is especially problematic when domestic abusers are literally the people that battered and abused women are supposed to call for help.”¹³⁷ To that end, California lawmakers should expand police transparency laws by making the records of officers with a history of complaints for domestic violence as well as allegations of sexual assault available to the public. Given the secrecy of police misconduct in California, and the tremendous authority that police officers carry, transparency related to their misconduct is critical, especially when they are first responders for incidents of domestic or sexual violence.

Alternatives to Police as First Responders

Police have become first responders in just about any situation—whether it’s a child misbehaving in a school or a serious or imminent threat of violence against a group of people, we call the police in all those instances. Law enforcement officers are not mental health providers, youth counselors, or crisis intervention workers. The epidemic of police killings and abuse against communities of color has continued to raise questions about the need, and appropriateness, for law enforcement officers to act as first responders in nearly all situations. Decades of disproportionate funding for law enforcement has left communities without alternative responses to a variety of community problems, including IPV. What follows below are recommendations that support alternatives to law enforcement and attempt to minimize the circumstances under which a call to law enforcement would be appropriate.

Restorative responses to intimate partner violence

A key value espoused by this report is the urgent need to center responses to intimate partner violence beyond punishment in favor of restorative community-based solutions. There are models of community safety that do not rely on law enforcement at all. In the *Critical Resistance—Incite! Statement on Gender Violence and the Prison-Industrial Complex*, the authors, in response to the inadequacy of the criminal-legal system as a response to incidents of domestic or intimate partner violence, state that, “The result is that women of color, who suffer disproportionately from both state and interpersonal violence, have become marginalized within

these movements. It is critical that we develop responses to gender violence that do not depend on a sexist, racist, classist, and homophobic criminal justice system.”¹³⁸

INCITE! founding member, Mimi Kim, has focused on fostering community alternatives to police and the criminal-legal system in responding to domestic violence which remains a largely uncharted space in the field.¹³⁹ Her work demonstrates that communities are already exercising alternatives to calling the police. What remains is to figure out how to provide communities with the resources they need to support survivors, people who harm, and their families, in ways that are trauma-informed and culturally responsive, and that ultimately strengthen communities and prevent the violence from reoccurring.

For many survivors, the opportunity to seek to repair relationships with those who have harmed them, if they so choose, can be a meaningful part of the healing process. Through restorative justice practices, facilitators focus on the impact of the harm and the needs of those who were harmed, as opposed to what laws have been broken, and what punishment should be applied.¹⁴⁰

Organizations like Restorative Response in Baltimore offer a model of what could exist in every community. Restorative Response invites the community and those who have committed the harm, to collectively develop what accountability looks like for each situation. This approach requires investing in the creation of models that empower communities to provide for their own safety and accountability, outside the confines of existing structures that are known to cause further harm and victimize or revictimize persons subjected to harm or persons causing harm.

In Contra Costa County, there is promising work happening that aligns with growing research evaluating restorative justice programs in cases of intimate partner violence in Arizona and Utah. The program known as Circles of Peace was first evaluated in Arizona as a randomized controlled trial in 2013 by researchers Linda G. Mills, Briana Barocas, and Barak Ariel. The initial findings suggested that the program Circles of Peace had an effect no different than standard “batterer-intervention programs.” Given the reservations around restorative justice programs in the domestic violence field, finding that the program had an effect no worse than the widely accepted BIP is significant.¹⁴² Perhaps most importantly, however, was the finding that 62 percent of individuals harmed by their partner participated in a programmatic session with their partner signaling both a large unmet need

and strong demand for this type of intervention.¹⁴³ Adding to the literature, a recent study by Linda G. Mills, Briana Barocas, and colleagues evaluated a similar intervention program that was restorative justice-informed in Utah and compared it to a traditional court-mandated intervention program. The researchers found that the intervention program that was informed by restorative justice elements reduced the likelihood of a new arrest by 53 percent and crime severity scores by 52 percent, as compared to a standard intervention program.¹⁴⁴ These emerging empirical studies lend further support to the work advocates and survivors have been doing in lifting up and seeking alternatives to the standard punishment approach. This growing body of research, combined with community experience, provides further evidence that restorative approaches that prioritize accountability, relationships, and healing are more effective approaches to creating safety and ending harm.

In Los Angeles, the Youth Justice Coalition is mobilizing community members to build a countywide network of “CAT 911” (Community Alternatives to 911/Community Action Team) teams to operate as community alternatives to law enforcement as both first responders and ongoing support. Each team is getting trained in the following core skills: 1) emergency medical aid; 2) sexual assault and intimate partner violence prevention and response; 3) street and inter-group violence including crisis intervention, de-escalation, rumor control and truce building; 4) police accountability and cop watch; and 5) mental health. CAT uses transformative justice to better ensure crises are reduced and harm is repaired.¹⁴⁵

And in Oakland, the Anti Police-Terror Project (AFTP) has developed a cohort of healing justice practitioners who are trained to respond to the needs of communities and families when loved ones are killed by the police. Through this work, AFTP has seen that “in far too many cases, police responses to mental health crisis and IPV prove deadly.”¹⁴⁶ As a result, AFTP organizers are now utilizing the expertise of healing justice practitioners to train directly impacted people to serve as first responders to mental health crisis and intimate partner violence, and are working with Oakland to develop and pilot an innovative model that can address these crises without relying on the police.

Given that nearly half of all people who are experiencing violence in their relationships will not call the police, scaling up and investing in the infrastructure and ability of communities to respond to violence is imperative to building safety.

Community Restorative Justice Solutions

Contra Costa Family Justice Center

Richmond, CA

Restorative justice principles have long been discussed and practiced in the domestic violence field, but the availability of formal programs can be rare. Typically, restorative justice convenes all parties when a harm has occurred, including impacted community members, into a process to mend the harm, take accountability, and restore relationships.

The Contra Costa Family Justice Center (CCFJC) has stepped up to launch an innovative restorative justice pilot program. In consultation with field experts sujatha baliga, Impact Justice, and Mimi Kim, Creative Interventions, the collaborative pilot program engages survivors of partner violence who are seeking safety and accountability rather than the traditional criminal-legal response focused on separation and arrest.

Through a community-based restorative justice model, the program maps out engagement processes to communicate and coordinate with survivors, family, community, and the person who has caused harm. There are five community-based organizations working with survivors that refer clients to the program anchored by a restorative justice coordinator and two circle keepers that facilitate the circle process.

The CCFJC program acknowledges family members' concerns that an arrangement in which the person who has caused harm is in the "hot seat" may not be the most conducive to resolving the harm. Instead, the program blends together harm circles with family group conferencing. Often, the survivor wants to connect with her family members whose relationships may have become strained over the course of the ongoing violence. Building up those key familial and communal relationships for a survivor can mean a stronger safety network and further options that best meet her needs.

The program intentionally created a space that would be free from law enforcement in an effort to reduce system contact and increase community participation in resolving violence. This practice is rooted in the set of questions that Executive Director Susun Kim, Contra Costa Family Justice Center, asks that are different from the traditional approach.

Traditionally, the system response asks: a) What was the last incident of violence? b) Do you have a safe place? c) Do you need a shelter? d) Do you want a protection order? Cash assistance? "These are all external provisions that are offered to a victim," Susun Kim says. "We are asking her: What's going on in your life? What's your family like? Where is your support? Family and community support? Asking her what she needs and meeting her where she's at rather than prescribing a suite of services."¹⁴¹

Promote mandatory involvement of community intervention workers in incidents of law enforcement response to intimate partner violence

Across California, pro-arrest policies encourage arrest where probable cause of intimate partner violence exists.¹⁴⁷ However, the empirical evidence of such laws suggests no significant effect on reducing nonlethal intimate partner violence.¹⁴⁸ Multiple studies have examined the relationship between mandatory and pro-arrest laws and intimate partner homicides finding they have either no significant effect on reducing homicides and, in one study, these arrest laws increased the rates of intimate partner homicides by 60 percent.¹⁴⁹ The latter study suggests that the threat of mandatory arrest may reduce the likelihood of harmed partners calling law enforcement to intervene in intimate partner violence incidents.¹⁵⁰ We do not question that there are survivors who attribute their safety to law enforcement intervention. Yet, on average, there is strong evidence suggesting that mandating a particular outcome like arrest upon calling for assistance from law enforcement may cause more harm than good.

Rather than mandate arrest, a recent study suggests that expanding the set of options like victim services available to persons harmed can be a strong positive force in their lives. A 2016 longitudinal study examining the effects of arrest on revictimization found that arrest had no effect on reducing revictimization. The study did, however, find that reporting an incident to police with no arrest outcome decreased victimization by 34 percent. Even more importantly though, the study found that the use of victim services had the greatest impact reducing domestic violence revictimization by 40 percent.¹⁵¹ Reducing arrest and increasing opportunities for people harmed to connect with services can have a significant effect on the welfare of persons harmed by their partners.

The original intent behind the creation of mandatory and pre-arrest laws was meant to guard women against incredulous and misogynistic law enforcement who did not take IPV seriously. Nevertheless, the resulting policies have not been an effective response because they do not necessarily align with the diverse set of needs a person harmed or person causing harm may have in order to heal and rehabilitate. Not mandating or encouraging arrest in instances when police are called will require an alternative approach to keeping those threatened by violence safe. Like other well-established pre-arrest youth intervention practices, domestic violence intervention programs might operate similarly.¹⁵² When police have been called, they could forgo arrest, and refer a person harmed to victim services and a person who has caused harm to a community-based program giving them an opportunity for rehabilitation, supportive services, and accountability for the harm they've caused.

If law enforcement is contacted, trained peacebuilders with community credibility could also be deployed and work to establish a safety plan. Rather than mandate arrest, community intervention could be mandated instead. Calls for assistance regarding IPV should draw on the robust network of community violence interrupters and peacebuilders who are trauma-informed and better positioned to de-escalate, engage family networks, and build a safety plan.

Many community-based organizations already do this work formally and informally, and intervention workers have been successfully stepping in to reduce street violence for decades. State funding should be allocated to sustain and scale these efforts. Community organizations, treatment facilities, and residence halls may be offered as options for people for the harm they have caused.

Pilot and establish community interventions for people who have harmed their partners

California's domestic violence regulatory framework mandates specific sentencing requirements and limits innovation and the creation of new opportunities for reducing domestic violence. Addressing this constrictive framework is critical to ending cycles of violence and building up the community-based infrastructure necessary to truly meet the needs of those who have been subjected to harm, and those who have caused harm.

In cases where law enforcement is called to respond to an incident of IPV, rather than apprehend, arrest, and charge an individual California should explore pre-arrest intervention programs that enable alternatives to the harms of the criminal-legal system. Such pre-arrest interventions could include piloting residential and nonresidential support service programs that allow people who have caused harm to receive resources necessary to transform their behavior.

Fathers and Families of San Joaquin, based in Stockton, California, is developing a program that aims to serve as an alternative to the court process. Through their innovative program, people who cause harm, as well as their whole family, will receive culturally rooted and therapeutic services through their Trauma Recovery Center.

Limit the Negative Impact of the Criminal-Legal, Prison, and Child Welfare Systems

Employ Prosecutorial Practices that Prevent Violence and Mass Criminalization

Data availability

Increasing access to data and statistics at a local level can serve as a meaningful improvement to address intimate partner violence by offering key insights for advocates and communities. Currently, data and statistics are primarily aggregated and available for the public at a national and state level through sources like the National Crime Victimization Survey or the National Intimate Partner and Sexual Violence Survey.¹⁵³

One promising example of greater data access on the issue can be found at the Domestic Violence Unit of the Family Violence Division housed at the Office of the Santa Clara District Attorney. Originally founded in 1990 as one of the earliest domestic violence units in the country, the Santa Clara domestic violence unit also established the first countywide “death reviews” in which a team of experts glean lessons and insights from all domestic violence-related deaths to use in trainings and public education campaigns.¹⁵⁴ Death reviews are normally limited to incidences of death from child abuse and neglect, but over time local jurisdictions have developed a particular focus on a variety of related issues like violent injury, domestic violence, and homicide.¹⁵⁵ In this case, the IPV death review team prepares an annual report that’s made publicly available that also contains recommendations “with the goal of improving system response and preventing future deaths.”¹⁵⁶ Promising practices like the ones in Santa Clara replicated by other prosecutors’ offices can help support community-wide efforts to end intimate partner violence.

Eliminate no-drop prosecution policies

No-drop policies refer to the requirement that a prosecutor pursue domestic violence charges whenever they have sufficient evidence, irrespective of the survivor’s desire to pursue the charges or participate in the prosecution. In California, prosecutors’ offices can have explicit or, as is often the case, “unofficial” no-drop policies, where an office may

have a tacit consensus around not dropping domestic violence cases when at all possible.¹⁵⁷ Designed to improve prosecution rates, no-drop policies can have a disempowering effect on some persons harmed by their partners.¹⁵⁸ These types of policies are paternalistic and fail to center the needs, safety, or desires of the person subjected to harm.

Strengthen the Court’s Capacity to Understand and Prevent Violence

Sentence reform

In California, strict laws determine probation sentencing in cases of domestic violence. However, the terms of those sentences have not been shown to effectively interrupt violence, promote health and safety, or decrease contact with the criminal-legal system. The following policy recommendations seek to limit the harm of entanglement with the criminal-legal system, and address community-level and individual root causes of violence:

- *Remove mandatory sentencing, require judges to assign sentences*

Currently, mandatory sentencing constrains both judges and defendants.¹⁵⁹ Removing the mandatory sentencing requirement of a three-year probation term can allow judges an opportunity to grant leniency or more intensive support per their nuanced understanding of the case and the defendant’s needs and circumstances.¹⁶⁰ Judges already exercise considerable discretion in related family law matters involving domestic violence such as custody and child support. There is little evidence to suggest that jurists have failed to properly exercise their judicial decision-makings in those matters.¹⁶¹ Instead, communities have expanded their use of domestic violence courts to consolidate domestic violence cases in order to allow judges to oversee all related matters including family law, civil, and criminal proceedings. Extending that judicial discretion to the full scope of domestic violence issues empowers judges to better tailor sentences to the cases and families they adjudicate, and limits prolonged supervision, which has failed to increase safety and adds barriers to stability and well-being.

- *Eliminate fines and fees associated with domestic violence convictions*

Upon conviction of a domestic violence charge, individuals are sentenced to a suite of conditions that at minimum shall include probation and successful completion of a “batterer’s program.” The associated fees imposed on the convicted individual are delineated by the courts, according to CA Penal Code 1203.097. Given that so many people who are involved in the criminal-legal system are low-income, these domestic violence-related fees amount to an inequitable and regressive form of taxation. Not only are these fees unjust, they also exacerbate economic insecurity, which the evidence shows is a risk factor that increases the likelihood of partner violence.

Newly introduced legislation in the form of SB 144 (Mitchell, 2019), known as the Families Over Fees Act, would eliminate most court-imposed fines and fees. Keeping people trapped in poverty does not reduce the likelihood of violence—it increases it. Rather than funding programs on the backs of California’s most vulnerable families, the state has an obligation to independently and sustainably finance, through state budget allocation, the critically important safety services that Californians depend upon—services, it should be noted, that are already currently underfunded. By including the elimination of domestic violence fees, along with other fines and fees, the state has the opportunity to stop the debt trap and ensure greater safety and stability for families.

- *Reinvest savings in intervention programs*

In addition to three years of probation, mandatory sentencing also requires participation in a 52-week intervention program. Though individuals have up to 18 months to complete a program, the requirement of time on probation—beyond the term of the BIP—does more to jeopardize the road to recovery and healing due to prolonged connection to the criminal-legal system.¹⁶² A study by the Urban Institute of Milwaukee’s Judicial Oversight Demonstration program found that 70 percent of domestic violence probation revocations were for technical violations.¹⁶³ Rather than rehabilitate, extended probation sentences have been shown to lead to a spiraling connection to the youth and criminal-legal systems.¹⁶⁴ By reducing the term of probation to match the length of time available to complete a BIP—18 months—the State of California can reduce costs, and invest savings in local intervention and prevention systems and innovative approaches that engage men, expand

community resources that build safety, and keep people out of the criminal-legal system for unrelated and minor offenses.

Scale Prevention Programming for Incarcerated People

Individuals who have caused harm and who are incarcerated must also be included in opportunities for healing. Community-based organizations like Santa Cruz Barrios Unidos and the Insight Prison Project are organizations leading related programming in multiple prisons throughout the state. The Insight Prison Project (IPP) offers trauma-stewarding programs in prisons, jails, and reentry programs, and in the community. IPP’s programming combines a restorative justice and healing-centered approach with a holistic psycho-social model of health.¹⁶⁵ The core program called Victim Offender Education Group (VOEG) seeks to support participants in identifying and addressing any unresolved trauma and understanding the impact of their actions on all the individuals they’ve harmed, among other themes of focus.¹⁶⁶ The program creates space for individuals who have harmed and been harmed to gather and work together in an effort to heal.¹⁶⁷

Karena Montag, a former program director, facilitator, and trainer of VOEG, describes the philosophy of the program:

“There is understanding of the need to hold those responsible for harm accountable; there must also be understanding that violence does not happen in a vacuum and, as Danielle Sered shared, no one enters violence for the first time by causing it. We must favor and create accountability processes that require not only personal responsibility, but also systemic obstruction and transformation of white supremacy and patriarchy, in order to achieve collective liberation.”¹⁶⁸

Currently, the program is practiced in 15 state prisons, three county jails, several reentry facilities, and a youth prison. Insight Prison Project’s VOEG is emblematic of programs that can benefit from additional resources and support in continuing to scale violence prevention programming for individuals who are incarcerated.

Success Stories, recently featured in the CNN documentary *The Feminist on Cellblock Y*, is a program that, like VOEG, works directly with incarcerated individuals. Co-founded by Richard Edmond-Vargas while he was incarcerated, the

program, which is currently at Soledad State Prison in Soledad, California, is run by the 55-member group of incarcerated men it serves using a curriculum based on confronting patriarchy and developing healthier forms of masculinity.¹⁶⁹ As the documentary's filmmaker Contessa Gayles remarks about her experience witnessing the program in action, "The idea of it—men deconstructing the system of patriarchy and confronting their own toxic masculinity ... I had never witnessed that type of work happening in this type of structured way among men even *outside* of prison."¹⁷⁰ Programs like Success Stories, that are led by people with direct experience with violence, and unpack how unhealthy manhood harms not just women, but also men, are critical to addressing intimate partner violence.

Prevent Child Protective Services from Deepening Harm

For parents who are subjected to harm, their safety and stability may be further undermined by the threat of their children being taken away from them through the involvement of child protective services. While "failure to protect" policies are meant to ensure children are not exposed to violence, they can also stand in the way of reporting violence and seeking assistance. Child Protective Services (CPS) is a key partner to courts and law enforcement in handling domestic violence cases and very often this relationship can have a dampening effect on reporting violence and seeking help.

Protect survivors of intimate partner violence and their parental rights

While researchers estimate that 75 percent of California women who have experienced intimate partner violence also had children under the age of 18 years old at home, there is no comprehensive data on the impact of Child Protective Services policies on families experiencing violence.¹⁷¹

In 2015, the California Partnership to End Domestic Violence requested a study of the use of "failure to protect" charges against nonabusive parents in domestic violence cases. Unfortunately, the state legislature did not research this question, and comprehensive data on the use of this policy and its impact is still unknown.

Despite the lack of comprehensive data at the moment, case studies of impacted families underscore the need for CPS to support people experiencing IPV in ending cycles of violence. By centering the needs and parental rights of survivors, CPS can help build safety and ensure children exposed to violence are not additionally burdened with the trauma of being separated from their parent; not doing so jeopardizes the opportunity to intervene, protect, and prevent.

State statutes should ensure that domestic violence, in and of itself, is not a cause for family separation and that CPS connects those being harmed, and those who have caused harm to appropriate and necessary community-based supports that address root causes of violence and increase protective factors.¹⁷² Ultimately, the welfare and safety of the child can be best served by ensuring that the welfare and safety of the parent who has been harmed is centered and prioritized, and those who have caused harm are supported in ending their use of violence.



Keeping people trapped in poverty does not reduce the likelihood of violence—it increases it.

Conclusion

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Our collective work in creating a new approach to violence intervention is just beginning and, at the same time, follows trajectories which go as far back as violence, itself. I believe that the answer lies deep within our own selves and our communities. If we learn to trust and build upon this wisdom, we will be able to create models which harness the creativity and reparative energy required to realize new possibilities.

Mimi Kim, Creative Interventions



The courage, commitment, and leadership of women in the domestic violence field have transformed our society's understanding of this crisis and the need to ensure safety for people experiencing partner violence. Because of this foundational and decades-long work by advocates and survivors, we have evolved a new vision and opportunities for ending intimate partner violence.

This vision and set of accompanying recommendations are a humble attempt to offer progress toward ending intimate partner violence, advancing racial justice, and centering the needs of people subjected to harm as well as those who harm, many of whom are men. While the agencies and institutions identified have their own role to play in ensuring that the vision becomes a reality, the policies guiding the behaviors of those systems are made at the city, county, state, and federal levels. The constraints they operate under, the funding they are tied to, the limitations they face in who they can serve and how, are all stipulated by city councils, boards of supervisors, legislatures, and Congress.

The dynamics surrounding these lawmaking bodies will make the practical application of these ideas very difficult, yet, not impossible. With significant investment in coalition building, organizing, and advocacy, California can achieve a paradigm shift for domestic violence. This new direction challenges the inequitable conditions that keep people trapped in cycles of violence, shrinks the harmful and ineffective criminal-legal system, heals trauma, and strengthens relationships. When our relationships are safe and healthy, so are our communities.

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