

OCVA Advocate

OFFICE OF CRIME VICTIMS ADVOCACY
QUARTERLY NEWSLETTER

Serving as a voice within state government for crime victims and their families

2008 Legislative Session New Session, Same Theme

The 2008 Legislative Session is underway, and this year OCVA is tracking a variety of bills related to sex offenders, driving under the influence, domestic violence, sexual assault, employment leave for crime victims, and other topics of interest to crime victim advocates.

Friday, February 8 was the first important date in the legislative process. All bills had to be approved and passed out of the original policy committee. Any bill that did not meet this deadline would no longer be considered. The one caveat is that any bill that has an impact on the budget is still under consideration, whether or not it was passed out of the policy committee. However, all bills with a fiscal impact must meet the next deadline, which is Tuesday, February 12. Bills must be heard and passed out of the Appropriations Committee in the House or the Ways and Means Committee in the Senate – to continue being considered.

Each of the bills is individually described and tracked in the OCVA Legislative Report, which is sent bi-monthly and will soon become weekly. Below is a general description of the intent of the bills still under consideration.

Like many Legislative Sessions of the past few years, the 2008 Session is dominated by the topic of sex offenders. There are vast arrays of individual bills on topic areas that include: task force recommendations, electronic monitoring, sex offender management, notification,

registration, and technology use by sex offenders.

There are still fifteen sex offender related bills which we are tracking that have made it past the first deadline. These bills fall into some broad categories of public information/ notification; monitoring or tracking of offenders; deportation of sex offenders; and sentencing. The bills in the first category generally would result in additional information being collected, or additional information being available to the public. For instance, HB 2442 provides that

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Level I and Level II sex offenders convicted of failure to register may have information released about them to the public. Also, the Washington Association of Sheriffs and Police Chiefs (WASPC) web site for registered sex offenders is expanded to include those Level I offenders who are convicted of failure to register. Another means of gathering information on sex offenders is a bill that would allow random, unannounced searches of Level III sex offenders. SHB 2444 stipulates that registered sex offenders and kidnapping offenders must submit information regarding any email addresses and websites they create or operate. Each county would receive some funding to assist in the collection and keeping of such information. The Senate also addresses this issue, with some small variations. SSB 6210 would require sex offenders to provide electronic mail address and any other internet communication including instant messaging, chat, or social networking names/addresses.

In the arena of monitoring and tracking, one of the most significant is the requirement in HB 2440 that Level III sex offenders who have registered as homeless or transient, or have a prior conviction for failing to register, are required to be electronically monitored by the Department of Corrections or the Washington State Patrol, whichever is applicable. HB 3161 takes an interesting approach by requiring certain sex offenders to pay the cost of electronic monitoring. HB 2503 provides that if law enforcement is unable to classify a sex offender from another state, the offender shall initially be classified as a Level II. HB 3243 calls for collaboration between DSHS and law enforcement to help verify address information. In addition, HB 2569 provides funding assistance to local law enforcement to verify addresses and residency of registered sex and kidnapping offenders. WASPC would distribute

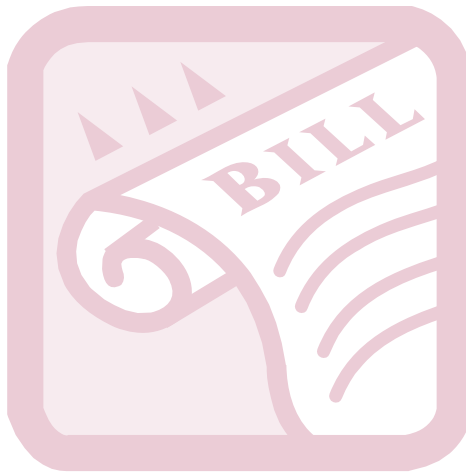
the funds to local sheriffs and police.

On the topic of deportation, HB 2439 requires DOC and jails to determine the immigration status of sex offenders. If undocumented, the offender will be taken to federal immigration authorities and released for deportation. In a somewhat related matter, HB 2441 requires law enforcement agencies to enter into compacts with Homeland Security to enforce immigration laws.

In a fascinating and perhaps overdue approach, SSB 6596 takes a broad approach to the concept of managing sex offenders and all the state and local efforts to track, register, notify, and understand or respond appropriately to sex offenders. This bill establishes a policy board, within but independent from the Sentencing Guidelines Commission, to use current research in conducting case reviews, develop and report on benchmarks regarding the effectiveness of response systems, assess and communicate best practices, provide forum for discussion among experts, community education and distribution of information. The potential of this board, it would seem, would be to gather experts, carefully understand and use research and sound practice to inform the Legislature, the Governor, and the public on the effectiveness of programs currently in place and any future development or revision of our responses to sex offenders and communities.

The 2008 Session is an important one for those concerned with and providing services to people impacted by driving under the influence (DUI). A package of bills was introduced and four of the original five remain in play. SHB 2621 results in sentences for vehicular homicide and vehicular assault running consecutively and be mandatory when there is a previous DUI conviction. HB 2704 allows for the consideration of vehicular assault and vehicular

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Knowledge Is Power

Working With Immigrant Victims Of Domestic Violence

"I think victims can feel how much confidence we now have....the trainings have really increased the knowledge we have and increased our ability to advocate more fully for immigrant victims. I think this has translated into victims more fully knowing their immigration options and being better able to make decisions. They can sense that we have confidence in what we are saying." Paulina Alvarado, advocate, Domestic Abuse Women's Network

Knowledge really is power – and in issues faced by immigrant victims of domestic violence, having the right knowledge can often mean the difference between deportation and obtaining legal status to stay in the United States. Advocates from five domestic violence programs in Washington State (Refugee Women's Alliance, Consejo, New Beginnings, Skagit Domestic Violence and Sexual Assault Services, and DAWN) are now part of a model project that gives targeted basic and advanced training, technical assistance and support for advocates working with immigrant victims. Utilizing federal funds provided by the Department of Justice, Office on Violence Against Women and administered by OCVA these programs are providing enhanced advocacy services to victims and working with trainers and the Northwest Immigrant Rights Project's Domestic Violence Unit to further develop a strong safety net for immigrant victims.

Between 1990-2000 the number of immigrants in Washington State— including asylum and refugees—increased by 146,830 with international migration representing 16.5 percent of this total. The federal Violence Against Women Act provides an avenue for victims to gain legal status and gain immigration relief – but these options are legal options and require information and expertise that can be hard to find. Individuals seeking help through legal service organizations are usually placed on inordinately long waiting lists and for those who may al-

ready be in the removal process, the wait may be too long to access help.

Immigrant victims of domestic violence face a number of critical challenges should they seek safety from further violence. There are a number of fears faced by immigrant victims: the fear of the justice system, deportation, losing their children, arrest, and poverty and homelessness. If they are undocumented they can face detention or deportation. They may be separated from their children and other family members who may already have legal status as permanent residents in the United States. The person who is abusing them may already be a U.S. citizen and use legal status as another tool to control the victims. Congress, however, has created relief for victims and afforded special means for them to apply for legal status. It is a long and cumbersome process that can be difficult for victims to navigate.

The pilot site domestic violence advocates already provide advocacy services to immigrant victims of domestic violence. With more training and specific skill-building technical assistance, these advocates have the skills necessary to work with victims on collecting documentation and aid with VAWA self-petitions. Safety planning and options are of the utmost concern for immigrant victims of domestic violence. These advocates provide critical legal advocacy services to immigrant victims that meaningfully increase options for victim safety. Advocates do not practice law, but can help victims navigate more effectively the immigration systems, legal requirements, and documentation collecting that is currently over-burdening the free legal aid organizations.

Issues of immigration and domestic violence in Washington continue to create obstacles in security and safety for victims. Advocates can assist victims in establishing good moral character, relationship to the abuser, good faith mar-

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Update of the State Sexual Violence Prevention Plan

OCVA and the Washington State Department of Health (DOH) have started on an update of the State's Sexual Violence Prevention Plan. Representatives from across the state are participating in the review and update process to be completed by October 2008. The Washington Coalition of Sexual Assault Programs is also participating in and assisting with the planning process.

Background

In 1996, Washington State received federal dollars to fund sexual violence prevention programs. The State Department of Health (DOH) received these funds and transferred administration of the dollars to OCVA. In an effort to develop a plan for how best to use the federal resources, OCVA and DOH convened an advisory committee. The committee produced the Sexual Assault Prevention Plan for Washington State in 1997. Washington has continued to receive this federal funding (The Rape Prevention and Education Program - RPE) that supports sexual assault prevention activities in our state.

The overall goal adopted in the plan was to impact the root causes of sexual violence by using a community development approach to prevention. Guided by the goal, the plan had three components that OCVA put into place:

- *Local prevention demonstration projects using a community develop model*
- *Statewide media campaign designed to increase awareness of sexual violence.*
- *Provision of intensive training and technical assistance to the demonstration projects and other local agencies doing sexual violence prevention work. The Technical Assistance Resource Center was established at the Washington Coalition of Sexual Assault Programs.*

*The Prevention Plan culminated in the adoption in 2000 of three prevention service standards for accredited Community Sexual Assault Programs (CSAPs): **Prevention: Social Change, Preven-***

***tion: Information and Awareness, and Prevention: Building Skills.** Currently there are 40 CSAPs in Washington State, and each are required to conduct these prevention activities in their communities. In addition, OCVA contracts with 31 agencies, Tribes and tribal organizations who are conducting community organizing activities to prevent sexual violence.*

Planning Process

The Centers for Disease Control (CDC), the federal funding agency, is requiring that each state conduct a thorough sexual violence prevention planning process. The planning process requires participation of representatives from across the state. Washington must review and update its prevention plan in accordance with the CDC requirements.

OCVA and DOH anticipate that the planning process will achieve the following outcomes:

1. To have a well-defined and updated sexual violence prevention plan for Washington.
2. To have a well-trained and well-supported sexual violence prevention field.
3. To advance sexual violence prevention that promotes social change through a community development model.
4. To sustain an infrastructure to support the goals of the sexual violence prevention Plan.
5. To evaluate and measure implementation of sexual violence prevention activities and strategies.

If you have questions or would like more information about the planning process, please contact:

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State Victim Assistance Academy

March 24-28

Planning for the 2008 Washington State Victim Assistance Academy (SVAA) is underway, and now is the time to register for this week long training for advocates and professionals that will take place March 24 through 28 at Campbell's Resort in Chelan.

The SVAA is a project of OCVA, funded by the federal Office for Victims of Crime. The Academy provides unique week long training for crime victim advocates and related professionals with one to three years of experience. Academy participants engage in experiential learning, hands-on activities and networking in a supportive environment. SVAA faculty consists of outstanding state leaders and expert practitioners in the field of victimology who are familiar with issues faced by victims of crime.

This is the third year of the Washington SVAA project. The first two years of the Washington SVAA planning and implementation to date have been very successful. A Steering Committee was formed consisting of representatives from major stakeholders in victims' advocacy training in Washington, including Crime Victim Compensation Program, Criminal Justice Training Commission, Families and Friends of Violent Crime Victims, Mothers Against Drunk Driving, Washington Association of Prosecuting Attorneys, Washington Coalition Against Domestic Violence, Washington Coalition of Crime Victim Advocates and Washington Coalition of Sexual Assault Programs.

The committee developed a Training Needs Assessment that distributed to advocates statewide, and this helped the committee develop a curriculum that was relevant to what advocates identified as the most needed training topics. Activities include hands-on training in crisis intervention, active listening skills, confidentiality, anti-oppression work, interaction with victims and secondary victims, and self-care. In addition, participants are provided an extensive written text covering even more topics to take away as a useful resource.

An essential element of the Academy is providing networking opportunities for a wide variety of advocates from different professions and areas of the state. Attendees forge connections with other advocacy professionals that can enhance their work and provide a basis of support and encouragement for years to come.

The first Washington Academy was held April 29 – May 4, 2007 and was a resounding success. Thirty advocacy professionals from community-based and system-based agencies participated, and the response was very enthusiastic.

The deadline for applications has been extended to March 3. The Academy can accommodate only 40 participants, so sign up today!

Washington State Victim Assistance Academy

March 24 -28
Campbell's Resort, Chelan, WA

For more information or to download an application, visit our website at
www.ocva.wa.gov.

(New Session, Same Theme, continued from page 2)

homicide convictions from other jurisdictions, under the felony drunk driving law, for sentencing current convictions. SHB 2705 requires vehicular homicide sentencing enhancements be mandatory. The last bill on this topic is 2SHB 3254, which creates an ignition interlock drivers license. This allows someone with a suspended, revoked, or denied driver's license to drive a noncommercial vehicle, as long as the car is equipped with an ignition interlock device.

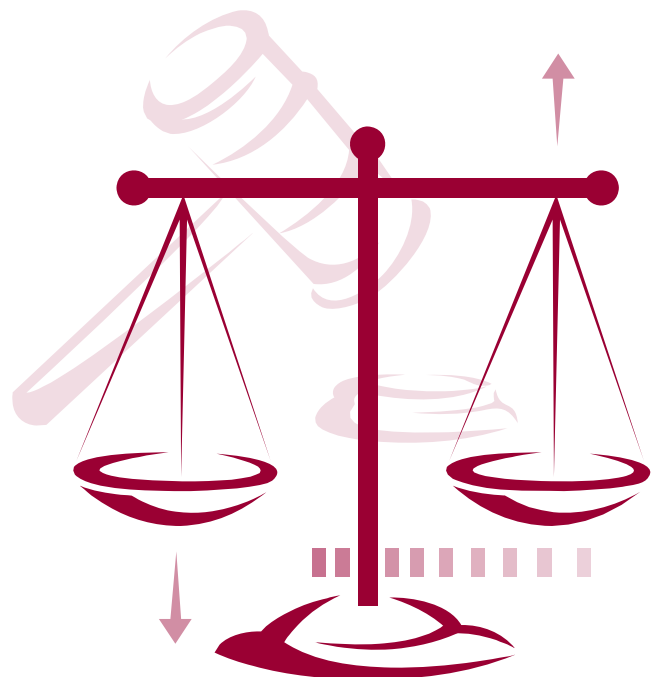
In the domestic violence arena, protection order process improvements head the list, as well as a pilot program for bringing domestic violence expertise into the DSHS Children's Administration. Another proposal with interest from both the domestic violence and sexual assault advocates is the bill that supports victims seeking services and their participation in the criminal justice system by requiring employers to allow absences from their jobs. Bills related to protection orders include SHB 2563 and SB 6357, that attempt to make service of protection orders easier if the alleged respondent avoids or cannot be found. These proposals say service may be accomplished through publication. HB 2764 and companion SB 6422 adds violations to the DV protection orders for eligibility for victim witness notification, as requested by the Department of Corrections. HB 2520 creates a pilot program to co-locate a DV advocate in a DSHS Division of Children and Family Services field office.

Meanwhile, on the issue of sexual assault, the theme this year is related to budget proposals resulting from the Governor's Task Force. Such budget enhancements include the increase for victim/witness units in prosecutor's office, which is part of the Governor's budget. The Washington Coalition of Sexual Assault Programs (WCSAP) is also working on funding enhancements proposed in the task force report, but not currently part of the Governor's budget proposal. Such enhancements address prevention, as well as enhanced services to children who have been sexually abused.

There is a small group of bills related to employment leave for victims (or family members) of domestic violence, sexual assault, or stalking. SHB 2946 allows state employees to give and receive shared leave to other employees in cases of domestic violence, sexual assault, or stalking. This is similar to the Senate version in their SSB 6500. Coming back from the 2007 Session is SSB 5900 which guarantees employees in the private sector can take employment leave and have their job status protected in responding to domestic violence, sexual assault, or stalking. This bill has, after previous unsuccessful attempts, started to move fairly quickly through the legislative process and as of this writing is in the House Commerce and Labor Committee.

Bills addressing other topics of interest to crime victim advocates include changes to the Address Confidentiality Program, Indeterminate Sentence Review Board structure, victim comment on offenders being considered for work release, legal financial obligations, and victim impact panels.

For this and more information, be sure to stay tuned to the bi-monthly OCVA legislative reports. To subscribe to the OCVA legislative report mailing list, please contact Amy Pearson at amyp@cted.wa.gov.



(Knowledge Is Power, continued from page 3)

riage, shared residence with the abuser, battery or extreme cruelty within the relationship, and an explanation of the extreme hardship that will be experienced should the victim return to her/his country of origin. This can be done as individual victims who are immigrants prepare for immigration relief in a way that streamlines the process and helps prepare a victim for court.

"I know that my work is helping because the women come back with big smiles and hugs to thank me." Elizabeth Ibanez, advocate, Skagit Domestic Violence and Sexual Assault Services

Job Opening With OCVA Victims Of Crime Program

OCVA currently seeks qualified applicants for a full-time position with our Victims of Crime program. The position serves as the contract coordinator for thirteen regional Crime Victim Service Centers, and also provides direct advocacy services to victims of crime from our office in Olympia, WA. The position is open until filled.

The complete job description is available at www.ocva.wa.gov. For more information, contact grace call, Victims of Crime Program Manager, at gracec@cted.wa.gov.

Did You Know? Washington's InfoNet System

On July 1, 2006, OCVA and DSHS Children's Administration launched the Washington State InfoNet system, a web-based data collection system for victim service providers to report on the clients they serve and the myriad of services they provide every day. To date, over 400 users from a total of 134 victim services agencies across the state have participated in the InfoNet project.

Between July 1, 2006 and June 30, 2007, InfoNet Users reported:

19,081 new domestic violence clients
9,605 new sexual assault clients
2,651 new crime victim service center clients

64,954 total clients served (new and continuing clients)
Over 183,000 hours of direct services to clients
51,172 hotline calls and crisis intervention/I & R contacts
...and much, much more!

If you would like to know more about Washington State's InfoNet system, please contact Nicky Gleason at nickyg@cted.wa.gov.

INFORMATION

The Office of Crime Victims Advocacy serves as a voice within state government for the needs of crime victims in Washington State.

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Mark your calendar!



OCVA Conference

March 24 - 28, 2009
Yakima Conference Center
Yakima, WA

*Check out our website at www.ocva.wa.gov
for more details!*

The OCVA Advocate is a quarterly publication of this Office. Unless otherwise noted, articles were written by OCVA staff. Topic ideas for future issues may be sent to the address below or e-mail ocva@cted.wa.gov.



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