

ADDRESSING VIOLENCE AGAINST WOMEN & GIRLS

“And finally, to girls everywhere, I am with you. On nights when you feel alone, I am with you. When people doubt you or dismiss you, I am with you. I fought everyday for you. So never stop fighting.”

— Stanford Survivor

“Our culture continues to ask the wrong questions: What were you wearing? Why were you there? What did you say? How much did you have to drink? Instead of asking: Why did he think he had a license to rape?”

— Joe Biden

THE PROBLEM

In localities and college campuses throughout the United States, survivors of sexual and domestic assault are put at a legal disadvantage because laws are not written in a way that corresponds with the emotional and physical ramifications of gender-based violence. In the face of state and federal gridlock, municipal leaders have the power to make a difference. According to recent studies by the National Alliance to End Sexual Assault, nearly 1 in 5 women survive a sexual assault sometime during their life. The National Network to End Domestic Violence found that 1 in 3 women have experienced either sexual or domestic abuse in the United States. While those statistics are staggering, laws written to provide protections from gender-based violence have stalled in many legislatures. Municipalities have the ability address gender-based violence and put pressure on state governments to enact real reform.

SOLUTIONS

When children are provided with education about healthy relationships, especially when they do not have good role models at home, they are better positioned to successfully avoid violence as adults. In order to protect

victims, especially those on college campuses, affirmative consent laws remove the ambiguity that many assailants take advantage of. And the circumstances a survivor faces can be addressed by removing the barriers associated with prosecuting a physical or sexual assault.

The Rape, Abuse and Incest National Network have developed recommendations for how municipalities can deter gender-based violence. These reforms address the unique circumstances asso-

ciated with gender-based violence while taking into account the legal authority of most municipalities:

ENCOURAGING K-12 EDUCATION ON SEXUAL ASSAULT: Known as Erin’s Law, county and local municipalities can pass resolutions that encourage or require school district to address sexual assault by: 1) Teaching students in grades pre-K –12th grade age-appropriate techniques to recognize child sexual abuse and tell a trusted adult, 2) Training all school personnel about recognizing child sexual abuse, 3) Educating parents & guardians about the warning signs of child sexual abuse, plus needed assistance, referral or resource information to support sexually abused children and their families. Erin’s Law has currently been passed in 26 states and resolutions have passed in **Dowington** and **Honey Brook**.

EMPLOYER-PROVIDED LEAVE FOR SURVIVORS: Referred to as “Safe Days,” employer-provided leave can either be paid or unpaid. If a survivor needs to get to court and or move, “Safe Days” secure his or her ability to maintain employment while dealing with the ramifications of an assault. Circumstances that are specific to

an assault may warrant that a survivor needs to avoid his or her place of employment -- especially if their assailant is aware of where they work. Employer-provided leave can give survivors the security necessary to avoid their assailant.

RESTRICTING THE EVICTION OF SURVIVORS: In many cases, survivors of either sexual or domestic violence are afraid of their losing their housing while filing charges against their assailant. Landlords may file eviction proceedings against tenants in the case of domestic disturbance or unpaid rent by exercising a nuisance clause in the lease. Municipalities can thwart eviction of survivors by passing laws like those that provide for a responsible way for a survivor to stay in their home. Dowingtown and Honey Brook mirrored changes in Pennsylvania state law in 2014.

SUPPORT AFFIRMATIVE CONSENT: Often called “Yes Means Yes,” affirmative consent laws take the ambiguity out of an assault by providing all parties a clear understanding of what warrants consent. Many sexual assaults are not prosecuted or reported because the circumstances do not meet the outdated and unsafe threshold required in “No Means No.” While many assaults happen with or around alcohol, these laws makes sexual contact illegal for individuals who lack the capacity to consent.

STAKEHOLDER COLLABORATION: Many counties or municipalities have crisis centers and domestic violence shelters. One useful mechanism for combating gender-based violence is a sexual and domestic assault committee that brings law enforcement, prosecutors, advocates, survivors, and policy makers to the same table. Most effective is to host a sexual and domestic assault committee at the crisis center or local equivalent.

LANDSCAPE AND RESOURCES

The Rape, Abuse and Incest National Network provides policy recommendations that deal with sexual violence and sex abuse education training. **The National Network to End Domestic Violence** updates stakeholders on policy proposals being pushed that support and protect survivors.