



Newsletter of the NOW Foundation Family Law Advisory Committee Winter 2021 - 2022

A WORD FROM THE COMMITTEE

This issue from the NOW Family Law Committee addresses the matter of the right to counsel in certain civil matters & the proceedings of the First International Coercive Control Conference.

The National Domestic Violence Hotline is 800-799-7233 (800-799-SAFE). You can call them from anywhere in the United States. You can chat live from here: [Get Help | The National Domestic Violence Hotline \(thehotline.org\)](https://www.thehotline.org)

UNMET LEGAL NEEDS AND THE GROWING NATIONAL MOVEMENT FOR A CIVIL RIGHT TO COUNSEL

By Michael Smalz

People charged with a crime have the right to a free court-appointed attorney or public defender if they cannot afford an attorney. Juveniles charged with delinquency offenses also have a right to counsel. However, this right only applies to criminal or quasi-criminal (delinquency) cases, not civil cases. The right to counsel in criminal cases stems from the U.S. Supreme Court's famous *Gideon v. Wainwright* decision in 1963.

Most low-income people and many middle-income people facing serious legal problems cannot afford legal representation. Hiring a lawyer in civil cases can make the difference between keeping a home or becoming homeless, obtaining protection from domestic violence or suffering injury or even death, having sufficient food or going hungry, retaining custody of your children or losing custody to an abusive parent, or retaining your parental rights or losing all parental rights in a juvenile court abuse, neglect or dependency proceeding or a contested adoption case. Many people are severely disadvantaged in critical civil cases because of their inability to afford legal representation – especially in prolonged and expensive litigation. These people have to represent themselves (as "pro se" parties) in cases involving complex legal issues and evidentiary hurdles.

As a result, state and federal civil courts are facing ever-increasing numbers of underrepresented litigants. The vast majority of people who appear in court without legal representation are unable to afford an attorney. A growing body of research indicates that outcomes for unrepresented litigants are less favorable than those for litigants who have an attorney. Unjust outcomes are more likely if one side has an attorney and the other side is unable to effectively present their evidence to the court, cross-examine opposing witnesses, or make relevant legal arguments to the court because they do not have an attorney. These disparities are especially evident in contested divorce and child custody cases because women and mothers earn less on average than their spouses and partners and may have spent a large portion of their marriage or relationship as homemakers and primary caretakers of their children.

Unrepresented parties are not the only losers. For example, in Family Court, children may be the biggest losers of all if they are placed in the custody of an unfit or abusive parent. States and taxpayers may ultimately bear increased costs stemming from an unfair judicial system if unrepresented individuals and families are improperly evicted, deprived of government benefits, or fail to obtain adequate child support and spousal support. Child protective agencies may have to take action to protect children by placing children in foster care because children were previously removed from the custody of a protective parent and placed in the custody of an abusive parent. In addition, individuals or families who are improperly evicted or whose government benefits are improperly terminated may be forced to use taxpayer-financed medical care, homeless shelters, and benefit systems.

In 2020, the Institute for the Advancement of the American Legal System (IAALS) at the University of Denver and the Hague Institute for Innovation of Law (HiIL) completed a large-scale, representative online survey on access to justice issues, the U.S. Justice Needs Survey.¹ According to the survey, 66% of the population experienced at least one legal issue in the past four years, with just 49% of those problems having been completely resolved. On an annual basis, 55 million Americans experience 260 million legal problems. Of those legal problems, according to the survey, 120 million legal problems are not resolved fairly every year.

Access to justice is a problem that impacts people from all walks of life. It is a societal problem that is experienced universally across different groups of the population. However, the following socio-economic and racial/ethnic groups are particularly disadvantaged in terms of access to justice: lower-income people, women, people of color, younger persons, and those living in either highly urban or highly rural environments. Moreover, the data in this study demonstrated that

¹ Executive Summary, US Justice Needs Survey, at https://udenver.zoom.us/rec/play/9n5oHpuyNH9M_FssCKMWpQ9XFnV8sxTGrciwQFV5R82KtnCYLk9Zx_dI96NDToY03OfxG78hEmH6vi0p.YLFBHBUtaaDMiQQ9?startTime=1630508392000

the most serious and burdensome types of legal problems impacting these groups include domestic violence and abuse, family problems, housing issues, work and employment, and problems with the police.

This study also highlighted the wide range of negative consequences that result from these unmet legal needs and people's experiences with the justice system. The most common negative consequences endured by Americans were negative emotions, negative impact on mental health, loss of money, loss of time, and negative impact on financial well-being. These negative consequences correlate with the seriousness of the legal problems experienced, which means that the most serious problems identified were also associated with more negative consequences in people's lives.

What can be done to improve access to justice? A key component of any solution is to expand access to legal representation in the most important types of civil cases involving ordinary people. The National Coalition for a Civil Right to Counsel (NCCRC) is leading the national movement (sometimes called the "civil Gideon" movement) for greater access to justice. The NCCRC is an association of individuals and organizations committed to ensuring meaningful access to the courts for all. Its mission is to encourage, support, and coordinate advocacy to expand the recognition and implementation of a right to counsel for low-income people in civil cases that involve "basic human needs" such as shelter, safety, sustenance, health, and child custody. At present, the NCCRC has over 300 participants and 200 partners in 40 states. For more information, go to the NCCRC's 50-state interactive map on the latest civil right to counsel activities and the efforts in the states in which the NCCRC is involved or has a presence.²

Other groups and organizations have endorsed resolutions recommending that states and local governments take action to ensure that people in civil cases that involve basic human needs have the right to an attorney. Notably, the Conference of Chief Justices and the Conference of State Court administrators passed a resolution calling for the establishment of "100% access to effective justice for essential legal needs." They then launched a "Justice for All Initiative" to make this a reality by providing guidance materials to state supreme courts and administrative bodies. Some state supreme courts and/or state bar associations have created state Access to Justice Commissions. The Access to Justice Commissions in Arkansas, Maryland, Massachusetts, North Carolina, and Wisconsin have endorsed the concept of a right to counsel in basic human needs civil cases, while other state commissions have studied or are considering similar resolutions and recommendations. Many individual judges, both at trial and appellate levels, have also spoken out in support of a civil right to counsel in basic human needs cases.

² National Coalition for a Civil Right to Counsel, NCCRC Presence Interactive Map, at <http://civilrighttocounsel.org/map>.

The leading organization of American lawyers, the American Bar Association (ABA), is a key player in the battle to expand access to counsel in the U.S. justice system. In August 2006, the ABA House of Delegates approved a Resolution "urging federal, state, and territorial governments to provide legal counsel as a matter of right at public expense to low-income persons in those categories of adversarial proceedings where basic human needs are at stake, such as those involving shelter, substance, safety, health or child custody, as determined by each jurisdiction." In 2010 the ABA released a Model Access Act and Basic Principles of a Right to Counsel in Civil Legal Proceedings.³ These tools provide detailed guidance and standards for states or local jurisdictions seeking to implement a civil right to counsel.

For example, according to the ABA standards, full public legal representation shall be made available to a financially eligible defendant or respondent if a basic human need is at stake, so long as the applicant has a non-frivolous defense. (Emphasis added.) Similarly, if a financially eligible applicant wants to appeal an unfavorable decision, legal representation services shall be available when there is a reasonable probability of success on appeal under existing law or when there is a non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law. (Emphasis added.)

The ABA Model Access Act has not yet been adopted by any states. However, some jurisdictions have implemented incremental reforms. New York State provides counsel in contested divorce cases. Three states (Washington, Maryland, and Connecticut) and 12 cities – including Boulder, Cleveland, Denver, Kansas City, Louisville, Minneapolis, New York City, San Francisco, and Toledo – now provide legal counsel to defendants in eviction cases. In recent years more and more states have required the appointment of counsel for parents facing possible termination of their parental rights in juvenile court abuse, neglect, or dependency proceedings or in contested adoption cases. There has also been a big push to provide counsel for children in immigration deportation proceedings.

As Martin Luther King said, "the arc of the moral universe is long, but it bends toward justice." There is a very long way to go before many women and other lower-income people have full access to justice and do not suffer because they cannot afford an attorney. However, the movement for access to justice is slowly but steadily gaining recognition and support. Each victory, no matter how small, will likely lead to more and bigger victories in the future.

³ ABA Model Access Act and Basic Principles of a Right to Counsel in Civil Legal Proceedings, at ABA Model Access Act and Basic Principles of a Right to Counsel in Civil Legal Proceedings, at https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_104_revised_final_aug_2010.pdf

FIRST INTERNATIONAL COERCIVE CONTROL CONFERENCE

By Renee Beeker

In recognition of Domestic Violence Awareness Month, the first international Coercive Control Conference took place on October 1st and 2nd, 2021. The conference was conceived, organized, and produced by survivors.

Founding partners include CCChat Magazine, Connecticut Protective Moms, Engendered Collective, Finding Our Voice, Glorious Alone Productions, Gosbee Family Foundation, Jennifer,42, End Coercive Control USA, National Family Court Watch Project, The Positive Parenting Company. Sponsors included the NOW Foundation and Tamara Scarowsky, a family law attorney in Canada.

This synopsis is a compilation of a two-day zoom event organized to educate on coercive control and its danger to domestic abuse victims and children. The conference brought together experts from the United States, England, Scotland, Australia, Canada. Over three hundred attendees from countries worldwide, including the United States, Canada, England, Scotland, Ireland, France, China, South Africa, Brazil, Germany, the Netherlands, Spain, Mexico, and more, joined together.

Day 1 Keynote: Dr. Evan Stark, Ph.D., MSW

The conference opened with a keynote presentation by Evan Stark, Ph.D., MSW. Dr. Stark is an expert on domestic abuse and wrote the first book on *Coercive Control: How Men Entrap Women in Personal Life*. His presentation was titled *Coercive Control AS A Gendered Liberty Crime*. He discussed legislation that has included coercive control as domestic abuse and has in various forms passed in Hawaii, California, and Connecticut. Dr. Stark focused on how it is crucial we do not view domestic abuse through "a violent incident framework."

You can find his biographical profile at the International Coercive Control website: <https://theccc.international/?speaker=evan-stark>. If you want to know more about Dr. Stark, you need only google his name. He is fascinating to listen to and has so much to teach us about domestic abuse.

Day 1 Session 1: "Coercive Control Is Domestic Abuse: Changing the Conversation"

Lisa Aronson Fontes, Ph.D., wrote the second book on coercive control titled, *Invisible Chains; Overcoming Coercive Control in Your Intimate Relationship*. Her presentation is *The Tactics of Coercive Control*. Dr. Fontes noted, "domestic abuse is coercive control." While there are incidents of violence, there is a "whole universe of ways to dominate a person." Coercive control

tactics include isolation, control, manipulation, stalking, monitoring electronic devices, and many other tactics.

Dr. Fontes' columns in Psychology Today are linked here:

<https://www.psychologytoday.com/us/blog/invisible-chains>, and you can find Dr.

Fontes at her website: <https://lisafontes.com/>

Paperback book in Spanish: <https://www.levelpress.com/product/cadenas-invisibles/>

Continuing the session discussion was Jess Hill, an Australian investigative journalist and author of the Stella Prize-winning nonfiction book, *See What You Made Me Do: Power, Control and Domestic Abuse*.

Jess talks about how coercive control is difficult to understand because it is invisible abuse. Most victims are unaware because it does not always involve physical violence and because they are "made to believe they are the crazy ones." She noted that many domestic abusers seem to have the same playbook, and the techniques used are so similar, calling it "patterns of perpetration."

Connect with Jess Hill at her website <https://www.jesshill.net>

Twitter: <https://twitter.com/jessradio?s=20>

LinkedIn: <https://www.linkedin.com/in/jess-hill-b51883b4/>

Day 1 Session 2: Children as Victims of Coercive Control

Christine M. Cocchiola, LCSW, is a professor of social work, researcher, and educator.

Christine Presented Coercive Control: Acknowledging Children as Victims. She explained that coercive control is the foundation of most domestic abuse, intimidation, and control of time, space, money, manipulation, etc. The impact on the victim is the same for the children. She noted the Adverse Childhood Experiences known as the ACE study. Children living as "prey and pawn" are victims of coercive control.

Web: <http://christinecocchiola.com>

Instagram: <https://www.instagram.com/coercivecontrolisipv/>

Twitter: <https://twitter.com/coercivecontrol?s=20>

Roz Davidson is a National Domestic Abuse Consultant and Trainer, a National Associate Consultant and Trainer for Children Overcoming Domestic Abuse Programme (CODA) on behalf of the National Charity AVA (Against Violence and Abuse), the Chair of the Lewisham VAWG Forum, and is the Director of The Positive Parenting Company, Britain.

Roz Davidson is presenting The Voice of the Child. Roz discussed the importance of listening, asking what is happening to children using the lens from

a trauma-informed position. This means understanding children's trauma-induced behavior, including acting out, being angry, and having trouble managing emotions. Knowledge from the trauma lens can see children heal, recover, and survive the abuse they have suffered.

Through the CODA assessment program, children shared they "blamed themselves, felt they should have stopped the fighting and why they would not call the police" Children feel so much responsibility. They fear involving the police because the outcome often can be worse than what had occurred.

You can connect with Roz here: <https://tppc.org.uk/about>

Day 1 Session 3: "Why Consent Doesn't Matter When there is no Autonomy."

Wendy J. Murphy J.D., New England Law Boston: wmurphy@nesl.edu

Wendy shared examples of legal cases that "protect" autonomy and how it boils down to "people are more important than stuff." Wendy additionally defined autonomy as "knowing, intelligent and voluntary." She shares how "consent" is a "substitute" for autonomy in violence against women. Wendy showed how criminal rape laws require "proof of non-consent and force and fail to provide autonomy. Leaving non-consensual criminal rape without force a lawful activity."

Wendy also shared problems with the terms consent and non-consent as a substitute for the autonomy in the law. Sex-based violence against women "as a class of people [is] a civil rights issue." She stressed the importance of obtaining Constitutional protection with an Equal Rights Amendment.

Email: wmurphy@nesl.edu

Book: <https://www.amazon.com/exec/obidos/ASIN/B000Z4GPTQ/thedaibea-20/>

Twitter: <https://twitter.com/WMurphyLaw?s=20>

Bal Howard: Forced Marriage

Bal shared her personal story of being forced to marry at age 17. When she decided to leave her husband, she faced being killed by her own family for bringing dishonor to her family. She lost the family she loved and her community while her family was hunting for her. She was able to escape. She shared how honor-based violence is normal, both culturally and legally, and leaves women unable to protect themselves from male violence and control.

Connect with Bal here:

<http://bkhtraining.co.uk/about-us/>

<https://www.linkedin.com/in/bal-howard-0a730a94/>

Emcee for this session Min Grob, <https://coercivecontrol.co.uk>

Day 1 Session 4: Joan Meier and Nancy Erickson Discuss "Post-Separation Abuse in the Courts"

Joan Meier: Professor of Law and Director of the National Family Violence Law Center at George Washington University Law School. Presented, U.S. Custody Outcomes in Cases Involving Abuse and Alienation Claims

Joan shared her early work at DV Leap trying to turn cases around in the appeals process and how this led her to conclude she needed data. Gaining a grant for the study, Joan pulled together a team and gathered electronically published appellate court opinions over ten years. Her study years 2005-2014 involved abuse or alienation claims, which resulted in the evaluation of 4338 cases.

Joan shared three critical outcomes of her study:

1. Do courts believe women regarding pure domestic violence claims and those with alienation cross-claims?
2. The results show that courts believed women on average 41% of the time. However, it is "dramatically reduced" to 23% of the time with cross-claim of alienation.
3. Mothers losing custody.

This study looked at mothers with custody who had "pure" abuse claims of domestic violence, child abuse, and sexual abuse, but not involving alienation; on average, 1 in 4 (26%) women lose custody. In the cases involving a claim of alienation, mothers lose custody on average of 50% of the time.

Alienation claims with or without abuse work for fathers 44% of the time. Mothers who use alienation win custody 28% of the time.

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Email to join the National Family Violence Law Center e-list.

Nancy Erickson is an attorney with a Master's degree in Forensic Psychology and specializes in domestic violence and child custody evaluations. She also assists domestic violence survivors with disabilities to get accommodations in court under the Americans with Disabilities Act (ADA). Her most recent publication is on how abusers use parental alienation theories against survivors attempting to protect their children from abuse. *Fighting False Allegations of*

Parental Alienation Raised as Defenses to Valid Claims of Abuse, 6 FIPVQ 35 (2013).

Day 2 Keynote: Senator Susan Rubio and Former Senator Alex Kasser: Expanding our Laws to Include Coercive Control.

Senator Susan Rubio, a survivor herself, shared her personal story of falling victim to abuse. She wanted victims to be treated better and wanted to show that her experience shaped her policy when she ran for and was elected State Senator in California in 2018.

In her first year, 2019, Senator Rubio worked to pass a law to extend the "statute of limitations" because victims do not "share their story, or press charges for various reasons, mostly out of fear." California's current law offered three years. She believes coercive control is the "heart of domestic violence." Senator Rubio has partnered with actresses Evan Rachel Wood and Esme Bianco on the Phoenix Act, Senate Bill 273, to extend the statute of limitations to 15 years and add coercive control. However, they could only extend the statute of limitations from 3 years to 5 years through the legislative process, and it did not include coercive control.

The following year she introduced a coercive control bill, SB1141: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB1141. The challenge was that people "did not understand coercive control and felt it too broad." The attempt to make it a crime caused significant pushback. However, they were able to pass a bill, adding coercive control to the family code.

She also helped to pass senate bill, SB538: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20212020SB538, which allows victims to get restraining orders and gun violence restraining orders remotely and to appear and testify remotely at a hearing for the petition.

Contact Senator Susan Rubio:
<https://sd22.senate.ca.gov>
<https://twitter.com/SusanRubioCA?s=20>

Senator Alex Kasser "We are all Jennifers"

Senator Kasser spent two years working with domestic violence survivors to pass Jennifer's Law, SB 1091 <https://legiscan.com/CT/text/SB01091/id/2417540>. She says we are "making real change happen." Her takeaway from this experience is, "The key to effective advocacy is finding true allies, being bold, and staying the course." Passing laws is essential, but the "superpower is our voices" sharing and believing each other. She mentioned Britney Spears and the fact that a "mega pop star" can be "imprisoned for 13 years against her will with state

approval." "So regular people can be imprisoned and controlled in their own lives."

Senator Kasser shared, "in Connecticut, more women are treated in emergency rooms for domestic violence than muggings, rape, and car accidents combined." In Connecticut, domestic violence is the number one cause of death for pregnant women. Data shows that "one-third of women killed by their abuser had not been hit before." "Coercive control can lead to violence and death." Coercive control is an "epidemic," and the solution requires "systemic change" involving "societal, institutional and self-awakening."

Contact Senator Kasser at: <https://twitter.com/Alex4CT?s=20>

Emcee for this session, Lis Hoyte

<https://www.amazon.com/Break-Free-Lis-Hoyte/dp/1919605800>

<https://www.linkedin.com/in/lis-hoyte-892ab31a6/>

Day 2 Session 5: "Debunking Psychiatric Labeling of Victims and Understanding the Emotional Impacts of Coercive Control"

Dr. Karen Williams and Dr. Emma Katz

Dr. Karen Williams is a consultant psychiatrist who specializes in trauma. Founder of Doctors Against Violence Towards Women, she also serves on the Family Violence Network Committee for the Royal Australian and New Zealand College of Psychiatrists.

Dr. Williams shared the story of her first patient as she made rounds with her boss. The woman had tried to kill herself the night before. Her boss diagnosed her with borderline personality disorder. She had been raped the night before.

Dr. Williams noted that "Women diagnosed with mental illness such as depression, anxiety, borderline personality disorder will have been previously or currently victims of coercive control and other types of violence."

She describes coercive control as "designed to make you feel stupid, crazy, dependent, and destroys sense of self." Dr. Williams notes that the "legal system weaponizes mental diagnoses to dismiss claims of violence."

See an article by Dr. Williams here: <https://www.theage.com.au/by/dr-karen-williams-p4ywau>

Follow Dr. Williams here: <https://twitter.com/DrWilliams?s=20>

Dr. Emma Katz is a Senior Lecturer at Liverpool Hope University, U.K. Her research focuses on fathers' coercive control of children and mothers.

Dr. Katz begins by noting that mental health distress should be seen as a "symptom of abuse," citing (Thiara & Gill, 2003). She continues, "those survivors should not be labeled disordered but are harmed." Dr. Katz describes coercive control as "living under a dictatorship." Here the description is like a "mini-government" where your every move is "monitored," no contact with "family and friends," and no "complaint" is allowed. She describes life with a coercive control perpetrator as the "most oppressive government on earth. "There are "millions of mini dictatorships on ordinary streets and towns right now." Dr. Katz describes perpetrators of coercive control as "reality distorters."

Her 2020 article *When Coercive Control Continues to Harm Children: Post-Separation Fathering, Stalking and Domestic Violence* is free to read here: <https://onlinelibrary.wiley.com/doi/10.1002/car.2611>.

Oxford University Press will publish her book *Coercive Control in Children's and Mothers' Lives* in 2022.

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Emcee for this session: Dr. Chitra Raghavan

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Day 2 Session 6: Systemic Coercive Control: Cults, Religion, and Policies

Kate Amber, Linda Dubrow-Marshall, and Rod Dubrow-Marshall

Kate Amber, founder of End Coercive Control USA

Kate is certified in the Psychology of Coercive Control by the [University of Salford](#), completing her Master's Degree.

Kate begins with her trademark description of coercive control as "psychosocial quicksand," where victims struggle in invisible quicksand no one sees. "Victims as terrified, numb, emotional, dissociated, addicted, hopeless, or suicidal." Kate notes the "more a victim struggles in this quicksand, the faster they sink."

Coercive controlling perpetrators use "double standards, double-speak, double binds, and DARVO, (Deny, Attack, Reverse Victim, and Offender)."

Kate shares that coercive control is "baked in our systems." "Churches, police, courts, the justice system, and therapists" all too often fail to support victims. The solution is to listen to the voice of victims and survivors and collaborate to understand coercive control through a "new lens."

Kate Amber: <https://endcoercivecontrolusa.com/about>

Dr. Linda Dubrow-Marshall, Ph.D., MBACP, Counselling, and Clinical Psychologist is co-founder with Dr. Rod Dubrow-Marshall of Re-entry Therapy, Information and Referral Network (RETIRN). They are supporting individuals and families who have been affected by coercive control in relationships, cults, and abusive groups.

Trauma Recovery and Spiritual Abuse

Coercive control is epidemic in intimate relationships and families, groups, and organizations, including religious, political, and other types of cults and extremist groups.

Dr. Linda Dubrow-Marshall shared through "early pioneers" the emergence of coercive control, and the criteria for diagnosis is in the DSM-5. First identified as "Coercive Persuasion" predating coercive control used by management professors Edgar Schein and Margaret Singer, who were helping people harmed by cultic and extremist groups. Diagnoses included "brainwashing, torture, indoctrination while captive."

In 1980 Susan Schechter used coercive control evidence to see victims of "domestic abuse akin to hostages." Dr. Linda Dubrow-Marshall points out while the term "domestic abuse" is not mentioned, terms like "gaslighting (brainwashing), torture, imprisonment were used."

Dr. Linda Dubrow-Marshall shared alternative frameworks to remove labeling of victims suffering from the abuse. "Do we call post-traumatic stress a disorder or stress?" Are symptoms called "illness, disease, disorder, or normal response" to abuse? Are "symptoms protective behaviors or protective emotions?"

Dr. Rod Dubrow-Marshall spoke on coercive control in the form of spiritual abuse and how the patriarchal system of power to "subjugate and abuse" uses abusive practices in religious cults, "patriarchal relations in religion today and over history." To adequately address coercive control demands "dismantling the systemic" coercive control woven into the "fabric" of cults, religion, and organizations' policies and practices.

The systemic nature of coercive control across these various examples reveals how abusers who succeed in their efforts are aided and abetted by patriarchal systems, also "rife" with coercion and control, that "minimize, ignore, protect, and even cover up abuse" in all its many forms.

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Day 2 Session 7: Innovative Initiatives

Former Chief Marty Sumner High Point Police Department and Shaneel Pataka
Co-Founder & CEO Zamplo

Former Chief Marty Sumner retired from High Point Police Department, North Carolina, in 2016 after 30 years. Chief Marty Sumner was Responsible for the research, development, and execution of the Offender-Focused Domestic Violence Intervention, known as the High Point Model, which is still in service internationally.

The High Point Model is an offender-focused domestic violence intervention. This model changed the focus from the Victim to the Offender, ending victim-blaming and causing the offender to become accountable. Through research, they classified offenders into four categories. Class A most dangerous, Class B repeat abuser, Class C first time charged, and Class D offender's first contact with police. Each category had a set of responses, from prosecuting offenders to requiring offenders to attend a face-to-face meeting with law enforcement—all while supporting victims with notifications, services, and a safety planner.

The use of the High Point Model reduced the murder rate to 0 from 2009-2014. Read about the High Point Model here:

<https://www.highpointnc.gov/295/Focused-Deterrence>

Watch a news report on the Model and Former Chief Marty Sumner
Marty Sumner Bio here: <https://www.ncdoi.gov/about/marty-sumner>
Read more on the Offender-Focused Domestic Violence Initiative:

<https://ncnsc.uncg.edu/focused-deterrence/domestic-violence/>

Shaneel Pathak B. Eng., MA, PMP Co-Founder, Chief Executive Officer
ZAMPLO

Zamplo was born out of Mr. Pathak's personal story of caring for his late wife faced with 4th stage cancer. To help "improve and manage complex health issues," Zamplo is an app-connected health platform to empower people and improve their health and quality of life.

Zamplo is an application designed to keep track of medical appointments, medications, tests, and symptoms securely and privately. This application can track information on relationship issues, divorce, domestic violence events, triggers, injuries, and evidence such as pictures for law enforcement. Your information is confidential and not shared unless you share. Data is "encrypted and stored in Canada and is General Data Protection Regulation compliant." No data is stored on your phone or computer.

Learn more at: <https://www.zamplo.org/>

Follow Shaneel here: <https://www.linkedin.com/in/shaneel-pathak/>

Emcee Karen Gosbee: <https://www.ifsc.org/2021-speaker-series---annual-fundraiser/karen-gosbee---bio.html>

A Perfect Nightmare: <https://www.barnesandnoble.com/w/a-perfect-nightmare-karen-gosbee/1136555710>

Day 2 Session 8: "Innovative Initiatives: 8 Stages of Domestic Violence Homicide"

Homicide Timeline

Professor Jane Monckton Smith and Susan Haile

Jane Monckton Smith is a criminologist and researcher with a background as a former police officer who has spent decades analyzing the behaviors of violent men and abusers and has created a new framework to understand "the domestic violence timeline."

Susan Haile, a 40-year veteran domestic abuse advocate, is her research partner, and they discuss the research they did on over 400 cases and the work developing this timeline.

Professor Monckton Smith and Susan Haile share a graph of the 8 stage homicide timeline: History, Early Relationship, Relationship, Trigger, Escalation, Change in Thinking, Planning, and Homicide.

Here is a small sample of her descriptions for each stage:

History - in her research, she believes something unknown such as stalking or controlling patterns, may be hidden.

The early relationship - fast talk of love or moving in.

The relationship - coercive control, jealousy, quick temper.

Trigger - threat of separation, financial or health issues.

Escalation- Abuse becomes more severe, the threat of harm.

Homicidal Ideation - last chance thinking, attempts are reconciliation.

Planning - stalking, change of behavior, isolating children.

Homicide - Homicide made to look like suicide, stage a missing person, victim-blaming.

Jane Monckton Smith on YouTube shares the eight stages.

https://www.youtube.com/watch?v=IPF_p3ZwLh8

Homicide Timeline research – The 8 Stages Research Repository
here: <https://eprints.glos.ac.uk/7797/>

Jane: Link to her latest book: <https://www.goodreads.com/book/show/55659844-in-control>

Twitter: <https://twitter.com/JMoncktonSmith?s=20>

Susan: <https://www.linkedin.com/in/sue-haile-70b04154/>

Day 2 -Session 9: Male Violence Against Women: New Legal Frameworks

Dr. Marsha Scott (Scotland) & Haley Foster (Australia)

Dr. Marsha Scott (Scotland) Feminist Activist, Research and Practitioner
Dr. Scott has Volunteered and researched gender violence against women in Europe, the United Kingdom, and the United States for 30 years. She is CEO of Scottish Women's Aid.

Why Coercive Control? Making Transparent the Everyday Operation of Patriarchy-facilitated Domestic Abuse in Survivors' Lives a Human Rights Violation.

Dr. Scott points out, "Inequality is a cause and consequence" of violence against women and a human rights violation. That we need to see coercive control is "control of control." Women in this relationship have "constrained space for action such as poverty of power, income, and safety." Add in domestic abuse; they may be homeless, hungry, need protection, must leave everything, and/or "possibly be deported."

Marsha shared insights from Scotland, where coercive control has been criminalized in the passage of the Domestic Abuse (Scotland) Act 2018 <https://www.gov.scot/news/domestic-abuse-act-in-force/>. Policymakers and stakeholders held many meetings to draft language. They listened to the voices of women and children, which directly led to the language in the bill. This work additionally concluded, "Children and women's lives are woven together," involving children's rights and women's rights campaigns.

"In 2019, of the 246 people prosecuted, there were 206 convictions, an 84% conviction rate. 202 of the 206 convicted were male, or 98%. The average prison sentence is 363 days; Max is one year".

Hayley Forster, CEO Full STOP Foundation Rape & Domestic Violence Services (Australia), leads a multi-sectorial approach to reduce violence against women in New South Wales, where there is a robust ongoing effort to reform law to incorporate coercive control.

Coercive control is a "pattern of behavior to control a person" and is regarded as the most "dangerous and damaging" aspect of domestic and family violence. Why criminalize coercive control? To send a "message to society" validating

survivors' experience, to increase protections, to provide services, as well as to "transform the justice system."

Here are links to additional below on the efforts in Australia.

<https://www.womenssafetyNSW.org.au/impact/publication/submission-to-the-nsw-joint-select-committee-on-coercive-control-in-domestic-relationships/>.

Rape & Domestic Violence Services Australia submission to the Parliamentary Inquiry into Coercive Control in Domestic Relationships: <https://www.rapedvservices.org.au/uploads/main/PDFs/Legal-submissions/RDVSA-submission-to-Joint-Select-Committee-on-Coercive-Control-28.1.21.pdf>

Inquiry Report:

<https://www.parliament.nsw.gov.au/ladocs/inquiries/2626/Report%20-%20coercive%20control%20in%20domestic%20relationships.pdf>

<https://fullstop.org.au/>

Hayley: <https://twitter.com/HayleyFoster?s=20>

Emcee Kelsey McKay: <https://www.mckaytrainingconsulting.com/mckay>
<https://www.respondagainstviolence.org>

Day 2 Session 10: Case Study: Jennifer Magnano

Elle Kamihira, Jessica Rosenbeck, Emily Thibeault, David Magnano and Michelle Cruz

Michelle Cruz, Esq., is a former assistant district attorney in Connecticut, a State Victim advocate, and Legal Pioneer in Domestic Violence, who helped craft the recently passed Jennifer's law.

Full Biographic Profile: <https://www.attymichellescruz.com/about-me>

As head of the Office of Victims Advocate, Michele Cruz conducted the homicide investigative review of the murder of Jennifer Magnano. Jennifer was a 42-year-old mother of three shot dead in front of her son, David. The report took two years and uncovered numerous system failures from police, courts, domestic violence shelters, and services, to Scott Magnano running from a gun shop with a weapon after being shown a firearm and ammunition without being asked for his I.D.

The Investigation is 45 pages long, took two years to compile, and began before "the word" coercive control was used to describe what Jennifer and her family were experiencing.

About Michelle: <https://www.attymichellescruz.com/about-me>

Elle Kamihira is a multi-genre producer, director, and writer working in museum media, documentaries, and media design. Her current project is "Jennifer,42," an animated documentary that takes a close look at the role of coercive control in the true story of the murder of Jennifer Magnano.

David, Jessica, Emily, the surviving Magnano children, and Elle discuss the documentary:

The Magnano surviving children who worked with Elle for the documentary "Jennifer,42" chronicle how coercive control of their life and their mother led to her murder. Elle shared snips of this documentary during the presentation.

The surviving children share how they lived in a very controlling, oppressive environment that prevented them from moving freely about their home and life daily. They could not have visitors, had strict, rigid rules on eating, playing, walking into the house, and leaving for school. They shared specific rules for vacuuming or turning on lights and the fear they lived with daily.

<http://www.ellekamihira.com/>

Movie teaser: <https://www.jennifer42movie.com/>

David Magnano LinkedIn: <https://www.linkedin.com/in/david-magnano-31b6366b/>

Jessica Rosenbeck Instagram: https://www.instagram.com/jess_l_rose/

Emily Thibeault Instagram: <https://www.instagram.com/emilytibo/>

A Call to Action

Join with others in your NOW community to work on the issues of a civil right to counsel and coercive control.

Investigate whether any bills have been proposed or laws have been passed in your state concerning coercive control. Please contact us with your findings. We would love to hear from someone from every state.

Also, check on the status of your state at The National Coalition for a Civil Right to Counsel's website: <http://civilrighttocounsel.org/map>

Inform yourselves and work within your community to ensure those rights are being honored or developed.

General Information on Family Courts

A clearinghouse of materials the committee has compiled can be found at the NOW Foundation website at this link, <http://now.org/now-foundation/crisis-in-family-courts/>. [Resources | National Organization for Women \(now.org\)](#) There are additional materials at the Chapters only website on the NOW Inc. website.

The Family Law Advisory Committee's Brochure the Family Courts (Updated 2021) is available here: <https://now.org/wp-content/uploads/2021/07/NOW-Family-Law-Committee-Brochure-2021.pdf>

To reach the Family Law Committee, please email: famlaw@now.org