



Executive Summary: Solutions to DVSA in America

Domestic violence and sexual assault are urgent public safety crises in the United States. According to the National Coalition Against Domestic Violence, 24 people per minute are survivors of rape, physical violence, or stalking by an intimate partner in the United States — more than 12 million women over the course of a year.¹ In Alaska, the statistics paint an even grimmer picture. A 2016 analysis from the Violence Policy Center listed Alaska as the deadliest state for women,² and according to the National Institute of Justice, murder is the third leading cause of death for indigenous women in the U.S.³

Many of the problems our state face today, such as homelessness and substance abuse, are fundamentally linked to domestic violence and sexual assault. Research from UNICEF indicates that children who experience violence and abuse are more likely to experience homelessness and addiction, become assault survivors or even become perpetrators of crime themselves.⁴ Tackling

¹<https://ncadv.org/statistics#:~:text=NATIONAL%20STATISTICS&text=On%20average%2C%20nearly%2020%20people,10%20million%20women%20and%20men.&text=1%20in%203%20women%20and,violence%20by%20an%20intimate%20partner>

² <https://vpc.org/studies/wmmw2018.pdf>

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<https://www.uihi.org/wp-content/uploads/2018/11/Missing-and-Murdered-Indigenous-Women-and-Girls-Report.pdf>

⁴ <https://www.unicef.org/media/files/BehindClosedDoors.pdf>

these issues speak to our core values as Alaskans. Our progress as a society is directly tied to our dedication to providing justice and support to the most vulnerable among us. As a doctor and lifelong Alaskan, I have seen firsthand the devastating impact that domestic violence and sexual assault has on our state.

For too long, politicians have solely paid lip service to domestic violence and sexual assault — it is easy to participate in awareness campaigns, but real change requires bold leadership and new ideas. Unfortunately, the policy responses from our leaders have not met the scale of the crisis that confronts us. Now is not the time for inaction. Instead, this is the time for a new strategy that changes the way in which the federal government confronts these issues. As a life-long independent, a doctor with a master’s degree in public health, and as Alaska’s new junior U.S. Senator, I promise to work towards finding a solution for preventing domestic violence and sexual assault, as well as finding substantial and meaningful ways to support survivors not only in our state, but across the entire nation.

We need a comprehensive approach to the problem, which is why my plan focuses on three interconnected priorities: 1) Bring perpetrators to justice; 2) Reduce recidivism; and 3) Protect and serve survivors.

Bring Perpetrators to Justice

We must improve the way domestic violence and sexual assault cases are handled in our criminal justice system. Far too often the justice system lacks the staff and expertise to effectively prosecute these cases. Therefore, my plan will provide funding for prosecutors and advocates to focus specifically on domestic violence and sexual assault cases. Additionally, we must set a national sentencing standard for the most egregious crimes. These measures will ensure that we deliver justice for survivors and prevent perpetrators from committing additional heinous crimes.

Reduce Recidivism

My plan will reduce recidivism and protect survivors by instituting GPS monitoring of high-risk offenders. I will also close the “boyfriend loophole” for possession of firearms by domestic abusers and improve information sharing between states.

Protect Survivors

Finally, a criminal justice response alone is not enough. We must reckon with the damage that domestic violence and sexual assault does to survivors and our society. My plan will provide support services to survivors and uphold their rights. Instead of simply paying lip service to the plight of survivors, this approach will back up our verbal commitment by guaranteeing access to affordable housing to those trying to escape abusive situations, providing child care to survivors of domestic violence, and expanding access to specialized legal representation.

Alaskans have made their voices loud and clear in their calls for an end to domestic violence and sexual assault. This plan answers that call with concrete action and an evidence-based vision for a future free of violence.



A Comprehensive Approach to Fighting Domestic Violence and Sexual Assault in America

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Improve Criminal Justice Outcomes

The criminal justice system must improve its response to domestic violence and sexual assault (DVSA). Too often, district attorneys' (DA) offices lack the resources and training required to effectively prosecute these cases, which results in a slower process and a lack of legal support, forcing survivors to relive their trauma for unnecessarily long periods of time and a low conviction rate for DVSA cases. In addition, sentencing for domestic violence in particular does not align with the severity of the crimes. Even in cases that result in a conviction, perpetrators often face minimal consequences, resulting in the continuation of violent offenders attacking women in their communities. This plan will improve legal outcomes by increasing funding for prosecutors who specialize in DVSA cases, supporting advocates to survivors of DVSA, and encouraging states to escalate sentencing for the most severe crimes of domestic violence and sexual assault.

- **Fund specialized prosecutors for domestic violence and sexual assault cases**

Crimes of domestic violence and sexual assault are some of the most challenging to prosecute. Unwilling witnesses, high prosecutor caseloads, and a lack of physical evidence results in low convictions rates, especially among prosecutors who lack specialization. Sexual assault and domestic violence are unique crimes that require a specific toolset to thoroughly prosecute them. Prosecutors who are allowed to specialize in DVSA cases will have the ability to better serve both survivors and justice, not to mention give extra attention to cases that desperately need it. My plan will create a grant program administered by the Office of Violence Against Women to fund prosecutors in state DA offices who will focus solely on domestic violence and sexual assault prosecutions. Preference will be given to DA offices that serve rural communities and predominantly indigenous communities.

- **Fund survivors' advocates**

Many survivors report feeling “lost” in the court system or feel otherwise unsupported during the longevity of their case. Prosecutors who are unable to locate the survivor or who struggle to convince witnesses to testify are rarely able to move forward with charges. Access to trained DVSA advocates will help ensure that survivors are stable, ready to testify at trial, and able to move towards healing after the conclusion of a criminal case. This plan will create a grant program administered by the Office of Violence Against Women that will fund survivor advocates in state DA offices. Advocates will be responsible for serving survivors of domestic violence and sexual assault through case management, legal advocacy, and consultation with the prosecuting attorney.

- **Increase sentencing for domestic violence**

Domestic violence is an escalating crime. Repeat offenders are at high risk for escalating the severity of their crimes, including murdering women whom they previously attacked. In fact, according to the Centers for Disease Control and Prevention, half of all murdered women were killed by an intimate partner.⁵ Mandating longer sentences for repeat offenders improves accountability and protects survivors from retraumatization and death. The often-forgotten survivors of domestic violence are also the children who witness it. Experts agree that exposure to domestic violence devastates children. The World Health Organization states that children who witness domestic violence are just as likely to suffer from Post-Traumatic Stress Disorder as combat veterans.⁶ Increasing sentences for these abusers will both help ensure the safety of children and send a strong message that domestic violence will not be tolerated in our nation. This plan will incentivize states to escalate sentencing for the most serious domestic violence offenders.

⁵ https://www.cdc.gov/mmwr/volumes/66/wr/mm6628a1.htm?s_cid=mm6628a1_w

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<https://www.usatoday.com/story/news/health/2019/01/29/domestic-violence-research-children-abuse-mental-health-learning-aces/2227218002/>

States that mandate a minimum sentence of 1 year for a third offense of domestic violence assault (in a 10 year time period) and who mandate a minimum of 3 months jail time for domestic violence assaults in the presence of children will be eligible for the grants in this plan.

Reduce Recidivism and Protect Survivors from Future Violence

The next area of emphasis is reducing recidivism and protecting survivors. Recidivism for domestic violence and sexual assault is unacceptably high. The problem is compounded by the fact that perpetrators tend to offend against the same survivors repeatedly. The escalating nature of these crimes mean that re-offending perpetrators commit a greater amount of serious acts of violence, often against the same person. The most effective mechanism for reducing recidivism and protecting survivors is GPS monitoring of offenders during pre-trial and probation supervision. This plan provides federal funding for states to establish GPS monitoring programs for high risk offenders. This plan additionally protects survivors by restricting domestic abusers' access to firearms, as guns can easily turn a hostile situation lethal, it's essential to lower the number of abusers with guns to ultimately save lives.

- **Fund evidence-based GPS supervision**

Domestic violence offenders have extremely high rates of recidivism. A 2018 University of Alaska Anchorage study found that 41% of domestic abusers recidivated in the first year after release, and by year eight, 75% of offenders had recidivated.⁷ Traditional approaches to curbing recidivism among domestic abusers have lackluster results. One program, however, stands out as a resounding success. States that have implemented GPS monitoring for high risk offenders have greatly reduced additional assaults by perpetrators in the program. Research has found that offenders under GPS monitoring are 95% less likely to commit a new violent crime.⁸ Simply put, GPS monitoring saves lives.

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<https://www.uaa.alaska.edu/academics/college-of-health/departments/justice-center/alaska-justice-forum/34/3winter2018/d.expanded-view-recidivism-alaska.cshtml>

⁸ <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1745-9133.2006.00102.x>

This plan builds on those successes by creating a new grant program within the Department of Justice for states to fund GPS monitoring of domestic violence and sexual assault offenders during pre-trial, probation, and parole supervision. The Department of Justice will also provide technical assistance in establishing and administering GPS supervision programs with preference for rural and underserved communities.

- **Close the “Boyfriend Loophole” for possession of weapons by domestic abusers.**

Currently federal law prohibits misdemeanor domestic violence offenders from purchasing or possessing weapons only if the offender meets certain criteria. Specifically, this includes spouses, parents, and cohabiting partners, but it excludes dating partners or former partners that no longer live with the survivor. This plan would prevent perpetrators of misdemeanor domestic violence from accessing firearms by closing the “boyfriend loophole” and applying the ban on weapons to all domestic violence offenders. Because abusers with firearms are five times more likely to kill those whom they assault, it is critical to prevent these abusers from accessing weapons before the escalating cycle of violence turns deadly.⁹ Broadening the prohibition of possession of weapons to all perpetrators of domestic violence would protect all survivors of domestic violence regardless of relationship status.

- **Improve the NICS Database.**

The National Instant Criminal Background System (NICS) database is used to screen purchasers of firearms — however, most states do not have a mechanism to ensure misdemeanor domestic violence convictions are added to the database. This allows many offenders to purchase weapons despite being banned by federal law. This plan would require states to report all misdemeanor domestic violence to the NICS database in order to qualify for Department of Justice grants, ensuring that convicted domestic abusers do not have access to deadly weapons.

⁹ <https://www.thetrace.org/wp-content/uploads/2016/08/FemicideDr.Campbell.pdf>

Survivor Rights and Services

Finally, survivors need support services during the criminal justice process and as they rebuild their lives. Survivors face overwhelming obstacles as they try to leave abusers. While the perpetrator of a violent crime is entitled to several constitutional protections, survivors receive few rights or services. This forces survivors into an impossible choice between staying with a violent abuser or facing homelessness and destitution. Survivors often face this daunting situation alone, with little support from the criminal justice system or government. This plan rectifies that disparity by granting survivors the right to safe housing, child care, and legal representation. By establishing these services as rights, we affirm our commitment to survivors and to a safer and healthier society.

- **Guarantee affordable housing for survivors of domestic violence.**

In a 2016 report to Congress, the Office of Violence Against Women reported that lack of access to affordable housing was the most frequently cited need for survivors of domestic violence. Existing Section 8 Housing program is capped at a limited number of vouchers, causing applicants to face long waiting periods and limited access to affordable housing. This often forces survivors into an impossible choice between staying with an abuser — despite escalating violence — or facing homelessness. It also puts more pressure on an often-overwhelmed shelter system. This plan would solve this problem by creating a new class of Section 8 housing vouchers for survivors of domestic violence. Eligible applicants would be those with an active domestic violence case, a domestic violence case adjudicated in the last year, or an active domestic violence protective order. Applicants would also be required to meet existing income and other requirements. Unlike existing vouchers, the federal government would provide vouchers for all qualifying applicants without a limit or waiting list. Once in the program, beneficiaries would retain their voucher as long as they continue to meet the requirements. Funding

would be provided to the Department of Housing and Urban Development to administer the new vouchers and coordinate with the Department of Justice to ensure that survivors are aware of the benefits and guided through the application process. Providing immediate access to housing for survivors of domestic violence would have multiple benefits including providing survivors stability during the judicial process and providing a safe environment for survivors and children to rebuild their lives.

- **Provide child care assistance for survivors of domestic violence.**

Another commonly reported need for survivors of domestic violence is affordable quality child care. This plan would create a new grant program within the Office of Child Care to provide child care for survivors of domestic violence. Eligible applicants would be those with an active domestic violence case, a domestic violence case adjudicated in the last year, or an active domestic violence protective order. Unlike existing programs, the federal government would provide benefits through the state authorities for all qualifying applicants without a limit or waiting list. Once in the program, beneficiaries would retain their benefits as long as they meet existing requirements. Funding would be provided to the Office of Child Care to administer the new program and coordinate with the Department of Justice to ensure survivors are aware of the benefits and guided through the application process. Faster access to affordable child care would allow survivors to return to the workforce and rebuild their lives while providing a safe development space for children.

- **Guarantee legal representation for survivors**

According to the Institute for Policy Integrity, 83% of survivors represented by an attorney successfully obtained a protective order compared to 32% of survivors without an attorney.¹⁰ In a 2016 report to Congress, the Office of Violence Against Women reported that grantees listed lack of access to legal counsel as a top challenge for

¹⁰ <https://policyintegrity.org/documents/SupportingSurvivors.pdf>

survivors attempting to leave abusive relationships. This plan would address that need by expanding legal assistance grants for survivors, managed by the Office of Violence Against Women to increase the number of survivors of domestic violence and sexual assault who receive a free attorney during the life of a case.