

Coalition Chronicles

**A newsletter of
End Domestic Abuse WI
Volume 34 Issue 1**

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From End Abuse Director, Patti Seger

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All young people, regardless of sexual orientation or identity, deserve a safe and supportive environment in which to achieve their full potential.

— *Harvey Milk*

When the Violence Against Women Act of 2013 passed, it included the first-ever Federal protections for Lesbian, Gay, Bisexual and Transgender (LGBT) victims of domestic and sexual violence. Three years later, this landmark legislation is still the only place where LGBT non-discrimination appears in federal law.

It should not surprise anyone that the anti-domestic and sexual violence field was the first to recognize the need for protections and services for LGBT victims: it is the nature of this work. Our work focuses on understanding that violence occurs between humans in all forms of relationships and that every human deserves safety and dignity. We consciously seek to identify those who are more vulnerable to violence, particularly those who face multiple forms of societal oppression, including discrimination based on sexual orientation and gender identity.

This Coalition Chronicles provides multiple perspectives on domestic violence in LGBT relationships, including resources for understanding and learning terminology, inclusive practices, anti-discrimination and anti-harassment policies. As a statewide coalition of domestic violence services providers, we are committed to ensuring that safety and freedom from violence and abuse are accepted as universal human rights for all.



A handwritten signature in black ink, appearing to read 'Patti Seger'.

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LGBTQ Intimate Partner Violence Prevention & Intervention in WI

Editor's Note: In this issue of the Chronicles, we consider intervention and prevention of intimate partner violence among lesbian, gay, bisexual, transgender and queer people in Wisconsin: what is working here and elsewhere, what are some of the stumbling blocks with services, and what has changed with regard to law, policy, mass media and social media. We also asked local programs what they have done to be more inclusive of LGBT people. You can find their responses on pages 5 & 6.

We lead off with a summary of a recent webinar series that addressed changes to the Violence Against Women Act (VAWA) which adds lesbian, gay, bisexual, transgender, and queer (LGBTQ) individuals to the list of underserved populations. This VAWA inclusion was a hard-fought and historic victory that was the result of a broad coalition of organizations. To support the VAWA inclusion, Family Violence Prevention and Services Act (FVPSA) began to require that FVPSA-funded programs develop a practice of promoting access and inclusion of LGBTQ individuals, as well as developing non-discrimination and anti-harassment policies.

In February and March 2015, the WI Department of Children and Families (DCF) Domestic Abuse Program offered this webinar series to assist programs with the requirements. Molly Herrmann, a member of the End Abuse/ WCASA LGBTQ Intimate Partner Violence Committee presented the series and End Abuse hosted it.

Staff of WI domestic abuse programs who were not able to join the live webinars can access the recorded webinars on the End Abuse website. Click on the links below to access the each recording or visit www.endabusewi.org/content/events/webinars to see a complete list of recorded webinars available for public viewing. Viewing and listening to the following webinars meets federal training requirements.

1

LGBTQ 101: Terminology, Concepts, and Intimate Partner Violence

[The first webinar](#) provided a foundation for the series, ensuring that participants would understand a brief LGBTQ history, be able to describe terms and concepts related to LGBTQ identities, and explain similarities and differences between IPV in LGBTQ and non-LGBTQ relationships.

2

Creating a Welcoming and Inclusive Environment and Services for LGBTQ People

[The second webinar](#) explored how areas of a program's environment and service provision can communicate inclusion, addressed beliefs that inhibit inclusion of LGBTQ people , and offered solutions to common questions about LGBTQ services. Participating in this webinar should enable viewers to name concrete steps to improve services. It covered specifics of how an agency appears "on paper" and in person, and looked at the reasons creating a welcoming and inclusive environment is continuous process for organizations at all levels of readiness.

3

Development & Maintenance of Policies Prohibiting Harassment of LGBTQ People

[The third webinar](#) focused on creating a plan and putting it into action: types of policies that should be developed to protect LGBTQ people from harassment, including both external policies about who is served, and internal policies about how employees are protected. It covered training and tips to ensure that all staff of an agency understand these policies and notice when they are not being followed. It discussed concrete elements of a plan to monitor, address, and document claims when policies are not followed, as well as models of how to respond to bias and hurtful comments. See sample policies on pages 4 & 7. [Return to Table of Contents](#)

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Common Questions & Answers about LGBTQ IPV

Following the webinar series highlighted on the previous pages, Molly developed the following questions and answers based on the information people most frequently requested.

Q & A



Molly Herrmann,
consultant with
Humble Pie Consulting
and co-chair of the
statewide LGBTQ
Intimate Partner
Violence Committee
supported by End
Abuse and WCASA.

1. What does the Q in LGBTQ mean? The Q typically stands for questioning or queer. Questioning is a term that indicates a person might be wondering about their own gender identity or sexual orientation. Queer is a term meant to be inclusive and to apply to either gender identity or sexual orientation or both. Often people will use it for themselves if the other terms don't fit or as a way to show solidarity with other LGBTQ people. Not everyone is comfortable with this term, so don't use it when the person has not used it first!

2. How will I know what pronoun to use for people? And how would I ask? Asking is always the best answer. You can say, "I want to make sure I use the pronouns you use for yourself. What pronouns would you like me to use for you?" And really, we should be asking this of all of our clients, not just those where we are unclear.

3. What should we do when one person in a group or shelter is uncomfortable with an LGBTQ client? Talk to the person individually – and let the LGBTQ person know you did so – if the discomfort was voiced toward or in the presence of the LGBTQ person. Remind the person who is uncomfortable of your non-discrimination policies or any group guidelines that protect against name calling, discrimination, bullying, etc. Ask them what makes them uncomfortable. Also remind them that everyone there is a victim and deserves a safe space.

4. How can we reach LGBTQ communities to let them know we are ready to serve them? The best way is to go to them. Find local events or locations where LGBTQ people gather - summer Pride events, youth groups, campus centers, accepting churches, and businesses. Use inclusive language in your materials AND specific examples of LGBTQ people in stories you share. In other words, don't turn people away by using language that leaves them out AND DO include them!

5. Should we put up a safe space sticker or some other way to indicate we are inclusive of and welcoming to LGBTQ people? If some sort of sticker or symbol is used,

LGBTQ people will assume that everyone "behind" it is experienced, inclusive, and welcoming. If that is not the case, just post it on individuals' doors, walls, or business cards, instead of on an agency's front door or website.

6. What does transgender mean? Transgender is an umbrella term that includes many identities. One common way to define it is when a person's sex assigned at birth is not the same as their gender identity now. The term cisgender is used by people whose gender identity does match their sex assigned at birth.

Terminology

Orientation: with whom a person partners intimately | Sex: biology, chromosomes, genitalia, reproductive potential |

Gender: sense of self as masculine or feminine, somewhere in between, or not on a binary scale | Transgender: an umbrella term for people whose current gender identity does not match the sex they were assigned at birth |

Cisgender: a term used for people whose gender identity matches the sex they were assigned at birth | Agender: a word people may use to communicate a lack of gender or a gender not in the binary of male/female | Gender non-conforming: sometimes used to describe a person who does not identify with the sex they were assigned at birth.

Check out www.glaad.org for an exhaustive list.

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Acceptance Journeys

The program *Acceptance Journeys*, created by [Diverse & Resilient](#), is composed of multimedia campaigns (billboards, bus ads, bus shelter ads, story cards, and social media posts) focused on heterosexual people moving in their love/acceptance of a LGBT person in their life. There are 64 stories in total told in 300 words or less featuring local Milwaukee residents accompanied with a photo. The stories aren't just about heterosexual individuals instantly accepting the LGBT person in their life, but going on a journey that can start as denial or rejection and move to acceptance and appreciation. Selected stories appear below and throughout this issue.

Gina & Jayde



I think I knew my son was gay when he was two years old. As he got a little older, like maybe seven, he was still interested in playing with Barbies. He knew that people would think it was strange, and I wanted to give him toys he wanted while protecting him, so we'd go to the store and I'd say "What kind of Barbie doll would your cousin like?" He would say, "Mermaid." We would buy it and take it home so he could play with it. That was how we would buy his clothes and his toys. We would both pretend we were shopping for a girl.

When he came to me at age 11 and told me he was gay, I told him I'd known all along but wanted him to figure it out for himself and accept it. By about age 12, he'd begun dressing like a girl. I didn't know enough to know he could become transgender—I only thought he could be gay. That's when I started to think of him as my daughter.

I had four sons and now I have three sons and a daughter. I accepted her. All I really did was allow her to be herself. I don't understand how someone can have a child who is LGBT and throw them out on the street at a young age. This world is just going to eat them up.

— *Diverse & Resilient, Acceptance Journeys*

Sample Transgender Identification and Support Policy

from the [Virginia Anti-Violence Project](#)

Employees

[Organization] recognizes that transgender employees may face additional challenges in the workplace. Affirming our commitment to an inclusive environment, embracing of the diversity of our staff, [Organization] seeks to ensure that employees who are currently transitioning or who have already undergone gender transitions are treated in an equal and respectful manner. Transgender employees are encouraged to dress consistently with their gender identity and should be addressed with the pronouns relevant to the gender with which they identify.

Additionally, as [Organization] respects all employees' right to privacy, transgender employees shall not be subject to unwanted questions regarding their status, medical history, or sexual

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Trans Lifeline is a non-profit dedicated to the well being of transgender people. We run a hotline staffed by transgender people for transgender people. Trans Lifeline volunteers are ready to respond to whatever support needs members of our community might have.

This is a FREE helpline run by volunteers and supported by the community.

US: (877) 565-8860

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What have your programs done to be more inclusive of LGBT people?

Thanks to the programs from around the state who shared their responses to this question!

Small changes can have a big impact:

CAP Services' Family Crisis Center, Stevens Point

CAP Services' Family Crisis Center has updated our policies and procedures, completed the recent DCF 3 webinar series training, provide LGBTQI training for our volunteer advocates responding to sexual assault victims, and most recently updated our annual 5K fundraising walk/run to include gender non-conforming as a competitive gender-based category. We've got more work to do, for sure, but it's a start.

Community Referral Agency, Inc., Milltown

The Community Referral Agency staff are scheduled to complete the DCF Series 3-webinar training in May. We have reviewed our forms to be inclusive and gender neutral. All signage is gender neutral. all policies are gender neutral and we are recruiting a member of the LGBTQ community to serve on our Board of Directors.

Family Advocates, Inc., Platteville

Our bathrooms are gender neutral and do not have signs. We also have provided Safe Zone training to staff in the past with the triangles being displayed on some office doors. This is a training that we will be looking to offer again as we have a number of new staff. All staff have participated in the LGBTQ webinars that were offered by DCF. We will be using these webinars as part of our training for new staff. We are analyzing our intake packets to be inclusive.

Family Support Center, Eau Claire

Here are some of the things we've actively done in an effort to be more inclusive of LGBTQ people:

- Audited agency forms for inclusivity
- Put rainbow decals on the front door of our facility, and on individual staff members' office doors
- Ensure LGBTQ populations are represented in agency brochures, in agency décor, books and informational materials in advocates' offices, etc.
- Attend LGBTQ-specific tracks and breakout sessions at conferences; participated in webinars on LGBTQ issues
- Include LGBTQ-related material in community-based displays (e.g. at the library) for SAAM, DVAM, and TDVAM and at "awareness" events
- Table at Chippewa Valley Pride and the Eau Queer Film Festival
- Offer drop-in hours at the regional ARCW office
- Present to LGBT Community Center board of directors and the local LGBTQ+ youth support group.
- Screen a film with LGBTQ themes (*Mysterious Skin*, dir. Gregg Araki, 2004) on the UW-Eau Claire campus for SAAM, and facilitate an audience talk-back
- Integrate specific information about IPV/SA in LGBTQ populations into standard presentations
- Currently co-sponsoring and co-facilitating two community-wide "safe space" trainings for youth-serving agencies, educators, area businesses, and interested community stakeholders

Notes from webinar 1, on coming out

The process of coming out occurs over time. In an environment of heterosexism and assumptions of gender identity, for many LGBTQ people coming out happens over and over again as they have new experiences and meet new people, including providers.

LGBTQ people may refer to a specific date, year, or event when they came out, which may be the first time they told someone else, when they first realized their identity, or when they told a significant person or persons.

Notes from webinar 1, on understanding -isms & -phobias

...it's important for at least two reasons: to understand the context in which LGBTQ people live in society; and to understand the forms of oppression that some perpetrators use against their partners. Frequently, -isms and -phobias intersect with other oppressions.

[Check out LaVerne Cox discussing her identities and intersectionality at <https://www.youtube.com/watch?v=jY3F1plxHMA>]

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PAVE, Beaver Dam

PAVE has done the following:

- All staff completed an LGBTQ 101 training and then we had additional training in that area for our all staff retreat in 2014
- All bathrooms are gender neutral
- All language has been updated to be more inclusive, including our intake forms and language on our website
- We created an LGBTQ Specialist position, which is the responsibility of our Legal Advocate. Her role as the specialist is to keep PAVE up to date on any new LGBTQ standards and also be the first person of contact for clients seeking services specific to LGBTQ issues.

TimeOut, Ladysmith

We've done a few things here at TimeOut to try and be more inclusive. They are listed below.

- Added "My gender pronoun preference is ____/ ____." with a little rainbow flag to email signatures.
- Removed old logos and materials with male/female family logo on them.
- Reviewed and edited program forms and local hospital's forms to be gender neutral.
- Put posters up about being an "LGBTQ ally" in offices.
- Had an intern research ideas for TimeOut to be more inclusive and make the shelter more welcoming.
- Adapted the bedroom in the Shelter with connecting bathroom to be for male or transgender victims.

Women and Children's Horizons, Kenosha

In 2014, Women and Children's Horizons (WCH) staff had the LGBT Safe Space training presented by the Southeastern LGBT Center of Racine. Our Handbook of Policies is updated. Our procedures and materials are being addressed currently. Our website includes our services for the LGBT community. All staff will have viewed the webinars required by DCF. All bathrooms are gender neutral. At the beginning of 2015 the Underserved Populations Program Coordinator (UPPC) visited a group of people at the Southeastern LGBT Center to talk about Domestic Violence services at WCH. The UPPC met with a group of coworkers to create a plan and identify community schools, churches, and other places to network with and increase our visibility to the LGBT community. Our efforts are ongoing.

University Health Services, UW-Madison

University Health Services (UHS) worked in collaboration with two students who were completing a capstone project for their LGBT Certificate to assess and improve its online sexual assault, dating violence, and stalking prevention program for first-year students called *Tonight*. The students conducted one-on-one interviews with students who identified as LGBT to get feedback about aspects of the Tonight program that felt more or less inclusive to students who are LGBT and students who identify outside of the gender binary. The students received a lot of great feedback and supplied UHS with some recommendations for ways to improve the program. One recommendation that UHS implemented was to modify the language used in the program to make it more inclusive of all gender identities. For example, instead of saying "his or her friend," the narrator now says "their friend." UHS also added several more images of students that may better reflect the diverse student population at UW-Madison, including students who are LGBT and students who identify outside of the gender binary.

Notes from webinar 3, on prevention

Prevention includes visibility, consistency, and follow through: without visible inclusion it may be challenging to bring in LGBTQ clients or employees.

Consistency reminds us that communities need to see ongoing inclusion and willingness to improve. If an agency consistently serves LGBTQ people well, word will get around that the community can count on the agency.

Follow through is essential for an agency to really support LGBTQ people beyond just allowing them in. See sample anti-discrimination policy on page 7.

Ada & Norma



My sister and I married two brothers. Later on she split up with her husband and told the family she was a lesbian. She picked Thanksgiving dinner to share this information, so while we were cooking she told everyone. My mom was loving and accepting and told her it was all fine as long as she was happy with who she was. My brother was very angry; he left the house for a while, but then came back and told my sister that he loved her. It's hard for people sometimes to accept this and I think Norma has helped us grow.

We grew up in the inner city among many African-American people, and we were some of the only Hispanics. We felt a lot of discrimination. We were raised by our grandparents and our mom; and if you have hung around Hispanics, you know that they always have to have their mom's permission to do things.

When we were growing up Mom always said she didn't care if we married white, black, or married at all, as long as we were happy. She set the tone for our family being accepting, which is good because in Hispanic culture there is a lot of homophobia.

I don't think enough people love themselves or feel good about themselves. Especially people like us—people of color—grow up wanting to have straight hair, wanting to have green eyes, wanting to be everything except who we are. People need to be loved and to love themselves. When you love yourself, and you feel good about yourself, then you're more willing to love those around you. I just love my sister and think she is an amazing woman.

— *Diverse & Resilient, Acceptance Journeys*

Sample Anti-discrimination Policy

Open Minds Open Doors: Transforming Domestic Violence Programs to include LGBTQ Survivors (p. 62)

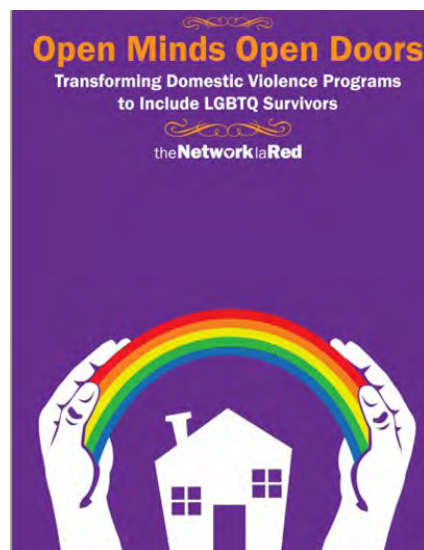
The Network La Red

[Program Name] welcomes individuals who are heterosexual, bisexual, gay, lesbian, queer, and/or transgender of differing races, classes, religions, ages, and backgrounds. I will be respectful of the other program participants and staff. I understand that any oppressive or abusive language or actions are not acceptable. If I have questions about this policy, I can ask a staff member to explain it to me.

If a program participant or any staff member is acting in an abusive or oppressive way towards me, I know that I can report this behavior to a staff member. If I feel that the issue has not been addressed, I can then report it to the program coordinator, _____. If the issue has still not been appropriately addressed, I can bring the issue to the executive director, _____.

Signed _____

Date _____



Submit your organization's name and address to [download a copy of Open Minds Open Doors](#) from the Network La Red website.

Think, Re-think: Woman-to-woman domestic violence

Connie Burk

Connie Burk is a survivor of domestic violence. She works with [The Northwest Network of Bisexual, Trans and Lesbian Survivors of Abuse](http://www.nwnetwork.org) in Seattle, WA. (info@nwnetwork.org)

Editor's Note: Below are excerpts from an article that originally appeared in the May 1999 issue of the WI Coalition Against Domestic Violence educational journal. More than 15 years after its initial publication, we seem to be in the midst of a sea-change, with wide-spread support for same-sex marriage and other rights and protections for LGBTQ people; yet much of the content of this article remains relevant today. It also references WI laws related to the rights of LGBTQ people. (For an update on same-sex marriage law in Wisconsin, see The Most Important Right of Marriage Equality: Divorce by Chris Krimmer, on page 12.)

Many survivors of same sex abuse indicate that they do not access mainstream domestic violence programs because the agencies are ill-equipped to handle the complex intersections of homophobia, abuse and isolation common for bisexual, lesbian and trans survivors. For queer women of color, racism, as well as homophobia impacts access to services. Many programs are uncertain how to support queer survivors or are reluctant to address racist, homophobic, biphobic or transphobic behaviors and attitudes of staff and program participants. However, more and more programs are considering these barriers and beginning to train staff, develop procedures and create values that will allow them to provide competent, safe support for lesbian, bisexual and trans people.

Isolation

... homophobia sets us up to be isolated when we are coming out as lesbian, trans and/or bisexual. Often when we come out, our friends and family subtly distance themselves from us or overtly disown us. Sometimes internalized homophobia can cause us to withdraw from people in anticipation of their rejection. Often, lesbian, bisexual and trans people are "allowed" to participate in family activities, work functions, church celebrations and other sites of community only as long as we keep silent about relationships and our lives with our partners.

While people are particularly vulnerable when they are first coming out, the interplay between the isolation created by homophobia, biphobia and transphobia and the isolation created by batterers can be devastating to any survivor—even if she has been out for years.

Sexual Abuse

There is a lot of silence about sex in our communities. When we do make space to discuss it, we can become very invested in our sexual lives being seen as uniformly chosen, powerful and natural—partly because of our struggle to prove wrong the heterosexist stereotypes about our lives.

This silence, broken only for an occasional round of "everything's fine here", creates a very vulnerable space for batterers to exploit. Survivors are unlikely to disclose sexual abuse, or if they do—may feel intense shame for discussing

The CDC's 2010 National Intimate Partner and Sexual Violence Survey, released again in 2013 with new analysis, reports in its first-ever study focusing on victimization by sexual orientation that the lifetime prevalence of rape, physical violence, or stalking by an intimate partner was 43.8 percent for lesbians, 61.1 percent for bisexual women, and 35 percent for heterosexual women, while it was 26 percent for gay men, 37.3 percent for bisexual men, and 29 percent for heterosexual men.

Walters, M.L., Chen J., & Breiding, M.J. (2013). The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Findings on Victimization by Sexual Orientation. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

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such a taboo subject. Sometimes batterers will use sexual abuse to intensify isolation and control, while never otherwise physically abusing their partner, simply because they know the silence around sex and sexual abuse will prevent their partner from disclosing or seeking support.

Threats

Threats to out survivors as having queer identities to family, employers, ex-spouses and others are a significant tool batterers use in maintaining systematic power and control over their partners. For example, a survivor may fear losing his children to an ex-partner if he is outed as an FTM transsexual man.

Queer people who are immigrants in the United States can be threatened with deportation, particularly if they are undocumented. One woman, who had stayed in the United States past her student VISA, was threatened to be reported by her partner-even though her partner knew that she feared incarceration based on her sexual orientation in her country of origin.

Wisconsin was the first state in the Union to enact state-wide civil rights protections for gay, lesbian and bisexual people. This law protects gay, lesbian and bisexual people from being discriminated against in housing, employment and public accommodations. Prior to this law, it was legal to fire a person from a job because she was a bisexual woman, for example. Domestic violence advocates should learn about this law and its enforcement in Wisconsin. When educating in your communities about same sex domestic and dating violence, share this information with people-it is likely that many people will not know what their rights are or how they could report discrimination. It is also important to learn about the limits of these laws. Are the protections enforced? How? What custody cases have been before judges in your area? Have gay, lesbian, bisexual and trans people been awarded custody of their children? How have 'dissolution of property' cases been handled? *

Wisconsin was the first state in the Union to enact state-wide civil rights protections for gay, lesbian and bisexual people. This law protects gay, lesbian and bisexual people from being discriminated against in housing, employment and public accommodations. Prior to this law, it was legal to fire a person from a job because she was a bisexual woman, for example.

Using Children

Many LGBT people co-parent children. Although many people co-parent, few children have two legal parents of the same gender. In most cases of adoption, only one parent is allowed to legally adopt the child. In other cases, the birth-parent is the only parent with legal rights regarding the child.

When a survivor who is being battered in a same sex relationship is not the birth-parent or legally adoptive parent, to leave the violent partner means to leave her child. In these cases, it is extremely rare-virtually unheard of--for a court to award visitation (much less custody) to the survivor. Even in the few instances when a survivor has legally adopted their partner's biological child, it is rare for courts to award custody to the adoptive parents.

Safety Planning in Small Communities

Like faith communities, immigrant and refugee communities and other close communities-it is often very easy for lesbian batterers to gather information about their trans, bisexual and lesbian partners. Most towns and even larger cities have only one or two places where people "in the life" gather for parties, evenings out etc. While it is a myth that all queer people know one another, it is true that the size of our communities makes overlapping friendships, partnerships and other relationships a common occurrence.

Unlike safety planning with women in less insular communities, safety planning with survivors of same sex domestic

For current information about laws that may apply when domestic violence is present in a same-sex marriage, see *The Most Important Right of Marriage Equality: Divorce* by Attorney Chris Krimmer, page 12.

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violence must include plans for routinely running into her batterer, being in meetings and community events with her batterer, or being seen by and seeing her batterer. If we don't work with survivors to anticipate and plan for such meetings, survivors lose community because it is impossible to stay safe. Supporting survivors to reconnect and build community-in spite of her batterer's attempts to intimidate, isolate and humiliate her-is a major role of our program.

It is also important to recognize that women who are battered by their female partners may be accompanied by their batterers to the women's bathroom, a women's changing room, a doctor's examining room and even a domestic violence shelter. Women have told stories of being asked about domestic violence by emergency room nurses while their violent partners, who were assumed to be a helpful friend or sister, looked on.

Using Vulnerabilities

While advocates often talk and learn about how batterers use their strengths to manipulate survivor's vulnerabilities, we rarely talk about the reverse—how batterers use their vulnerabilities to manipulate a survivor's strengths.

Sometimes women who batter have experienced violence in their past—they may have survived childhood sexual assault, gay-bashing, battering and/or other forms of violence. These women may use their prior experience surviving violence as an excuse for their current behavior. Some batterers insist they cannot be held accountable for their abusive behaviors because they originally learned them as survival skills. One survivor who was battered by a woman who had been abused as a child put it this way:

I spent my whole time trying to support and protect her. I saw how badly her family continued to scare and hurt her. I thought I could be strong enough for both of us. I didn't want to be the next person in her life to let her down. Over time though, I began to dread waking up to another day with her. Whenever I tried to make a decision for myself or see my family, there was a consequence. She would attack our friends as soon as they left the house. I began to hate people who made her mad or upset her because I knew she would take it out on me. Whenever I tried to confront her on her abusive behaviors, she became angry, frightened and accusative. But I also saw how hard she worked to stay present in a world that had hurt her since she was a baby. I saw how hard she tried to fight off her own fears—even if that meant projecting them onto me. It wasn't until I finally was able to move away that I made the connections between my experience and domestic violence—even though we both worked at a domestic violence program while we were together.

Unlike safety planning with women in less insular communities, safety planning with survivors of same sex domestic violence must include plans for routinely running into her batterer, being in meetings and community events with her batterer, being seen by and seeing her batterer. If we don't work with survivors to anticipate and plan for such meetings, survivors lose community because it is impossible to stay safe.

Accountability

It is important to hold people who are engaged in battering their partners accountable for their abuse—even as we have compassion for them. Becoming accountable for the abuse they are perpetrating is an important step for batterers to heal from whatever violence they may have experienced. We also recognize that people who systematically take power and control over other people are with us in our communities most of the time. When attempts are made to ostracize or isolate batterers, we find that 1. the person simply moves to a new community where people are unaware of their abusive behaviors, 2. the community divides over the choice and blames the survivor for the division, or 3. the survivor is the one ostracized instead of the person using power over. We continue to be challenged by the need to build community based systems of accountability for batterers.

Toward a new (retrieved?) analysis

In order to begin to understand same sex domestic violence, we must be willing to think critically about our analysis around domestic and dating violence. In an attempt to make our message understood in a sound-bite world, we have dropped much of the complexity that is necessary to understand women's experiences with violence and abuse. In the workbook, *In Our Best Interest* (Minnesota Program Development, 1987), this need for complexity was addressed over

a decade ago in a passage written by an education group facilitator:

I used to think that battering was caused by sexism in our culture and that men battered women because they were socialized as males to be more powerful than women and control them. Women were the ones being beaten because they were socialized in our culture to submit to male authority. I was deeply challenged in that perception when I began to read about lesbian battering. My first assumption, when I came to accept that [lesbians batter their partners] too, was that it was women imitating heterosexual relationships. That myth was shattered when I discovered that women active in the women's movement and operating from a feminist ideology physically battered their partners. My entire thinking on the relationship of sexism to battering was shaken to the core. This is when I first began to understand the pervasiveness of patriarchy. Patriarchy is not only a gender issue, but a form of dominance and control that permeates the thinking of all human beings subjected to patriarchal environments. I began to see battering not just as a gender issue, but as a much deeper manifestation of the concept of power and dominance in our culture. I also began to see that the enemy was not men or males. While males definitely enjoyed more freedom, privilege and status in a patriarchal structure, I no longer believed that if women ran things instead of men, everything would change and be better. This realization made me understand how complete the cultural transformation must be in order to realize a non-violent society.

A definition of patriarchy that considers only sexism-instead of examining the complex interconnections of racism, colonization, classism, biphobia, transphobia, homophobia, anti-Arab oppression, anti-Jewish oppression, anti-fat oppression, ableism, ageism and all forms of oppression-will invariably marginalize the survivors from these oppressed groups. [Read the full article](#) at VAWnet.org.

Ronnie & Kingston



When I first learned Uncle Ronnie was gay it shocked me. I was about 15 years old. I had a choice to accept him, or not deal with him, and I love him too much not to deal with him. I live for my family. I love my family. We enjoy each other's company and we've always been a small, tight, and close family.

Teenagers and kids, they deal with things differently. If they feel a certain way, they let it be known. They judge a book by the cover. After I found out about Uncle Ronnie, I really learned not to be like that. I was popular in school, but I never liked seeing people get picked on. I don't judge or discriminate. If I saw it, I would stand up against it because I don't think it's right. I would try to take the focus away from the person they are making fun of, and tell them to leave that kid alone.

In high school, all of the basketball players sat at one table, and all of the cool girls sat at one table, and all the nerds at one table. I could go from table to table and shake somebody's hand. When I was in high school, a bunch of the guys used to jump on the gay

guys when school was about to end for the year. I would never do that because it's wrong. No matter how you feel, a person has the right to be happy. You don't have the right to take their happiness and peace of mind away. I think the people who do that are hurting, so it's a hurt person hurting another person.

— *Diverse & Resilient, Acceptance Journeys*

The Most Important Right of Marriage Equality: Divorce

Chris Krimmer, Balisle & Roberson, S.C.

Editor's Note: The future of marriage equality in Wisconsin remains uncertain at this time. Those who advocate for victims and survivors of domestic violence are well acquainted with the ways in which abusive spouses have at times been able to manipulate the justice system to exert additional control over the lives of their spouses and children. As we are hopeful that same sex couples will continue to enjoy marriage equality in the future, it is worth considering how the law will have an impact on same sex spouses who are being abused. While this article does not grapple with the dynamics of domestic abuse, it explores the legal complexities of marriage and divorce that will certainly have an impact on same-sex victims.

*Join us on **July 15 at 11:00 AM** for a webinar update of same-sex marriage equality.*



Attorney Chris Krimmer

Effective October 6, 2014, Wisconsin started to grant same-sex marriages. Wisconsin joined 36 states and the District of Columbia in marriage equality. This means that married gay and lesbian couples are able to enjoy the 1,138 federal rights, obligations, and benefits of marriage along with several hundred state-based rights. This is true for gay and lesbian couples who married in Wisconsin or traveled out of state to marry in a state or country that grants same-sex marriage.

One of the most important rights associated with marriage is one of the most unpleasant aspects of many marriages: divorce. Almost half of opposite-sex marriages end in divorce and there is little reason to believe that gay and lesbian marriages will be any different. When the marriage is intact, the government generally will not interfere in that marriage, however, when the marriage ends, the state has a vested interest in making sure both spouses are treated fairly with regard to child custody, placement, child support, maintenance, and property division. These protections are codified in Chapter 767 of the Wisconsin statutes which—until October of last year—were unavailable to same-sex couples. Prior to obtaining these protections, one partner often retained all legal rights with regard to property and children at the expense of the other partner.

Prior to marriage equality, a gay or lesbian couple who ended their relationship had to piece together several different legal theories and claims in order to receive a “de facto divorce.” For example, community property law or the presumption of equal division of property did not apply to same-sex couples: ownership was controlled by title. This could be devastating for the partner who did not have his or her name on the deed to the house or all of the financial investments. In order for the non-titled partner to seek an interest in the property, he or she had to file a “*Watts v. Watts* case” which consisted of equitable claims for unjust enrichment, implied contract, and equitable estoppel. Filing such claims are like fitting a square peg in a round hole: they are more commonly associated with business disputes or civil matters, not intimate relationships. Unlike a divorce, which is

Attorney Krimmer focuses his practice on family law, estate planning, and LGBT law. He has been recognized by several journals and organizations including the Wisconsin Law Journal and the American Academy of Matrimonial Lawyers. Prior to joining Balisle & Roberson, Mr. Krimmer established the country's first statewide HIV legal services program at the AIDS Resource Center of Wisconsin, which serves people with HIV and AIDS at no cost in a variety of legal issues. He has taught and written extensively on the topic of same-sex relationships, has been published in the Wisconsin Lawyer and the Journal of Family Law, and is the lead author of the book, [Sexual Orientation and the Law](#) published by Pinnacle Publications in 2015. Attorney Krimmer graduated from the University of Wisconsin Law School, cum laude, in 1997 and the University of Wisconsin at Milwaukee, magna cum laude, in 1994.

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decided by a judge, a gay and lesbian person had to convince a jury of their peers that they were entitled to the property of his or her former partner. Today, these equitable claims remain available for same-sex couples (and opposite-sex couples) who elect not to marry, but the remedies are more limited and difficult to obtain.

If a same-sex couple marries and later divorces, there is one factual issue that is rarely present in an opposite-sex divorce: the date of the couple's marriage. The length of the marriage is an important consideration in awarding maintenance and dividing the property. The longer the marriage, the more likely the Court will award maintenance and divide the property equally. In an opposite-sex marriage, the date of the marriage is easily determined by a marriage certificate. Since Wisconsin has always granted opposite-sex marriages and recognizes almost universally opposite-sex marriages performed in other states, the date of the marriage is rarely in dispute. This is not necessarily true for same-sex couples.

For example, assume Liz and Beth live in Wisconsin and have been in a relationship for the past 20 years. In 2008, they traveled to Massachusetts and got married under Massachusetts law. Wisconsin started to recognize same-sex marriage on October 6, 2014. Now, assume that Liz filed for divorce in June of 2015. How long have they been married for purposes of their divorce?

The spouse seeking maintenance and an equal division of the assets would likely argue that the marriage was 20 years in length since the couple "would have married had the right not been unconstitutionally denied to them," or, at a minimum, the Court should consider them married since 2008 when they married in Massachusetts (i.e. 7 years). The higher income spouse would likely want to limit her exposure to maintenance and property division, and would argue that the marriage did not become effective until the state recognized the marriage on October 6, 2014. If so, the marriage was less than a year in length. She would argue that it would be unfair for the court to impute a marriage on her for years when the state refused to recognize that marriage or offer them any of the benefits of the marriage. More important, neither spouse had any duties to one another or control over how the other managed her finances, acquired property, sold property, or made decisions that had an impact on the children, if any. The divorce court would need to decide whether Liz and Beth had been married for one year (since October 6, 2014), 7 years (since the Massachusetts marriage date), or 20 years (for the duration of the entire relationship). This distinction is significant in the context of the divorce.

The fact that both spouses are of the same gender should not impact how the divorce statutes are applied to the relationship. Long before same-sex marriage was a reality, our family codes consisted of statutory factors that were gender neutral. A husband had just as much right to seek maintenance as the wife, and the wife had just as much right to the property. The same is now true for a husband who seeks maintenance from his husband, or a wife who seeks one-half of the property from her wife.

LGBTQ relationships are becoming more visible. More people in Wisconsin would vote, "Yes - let LGBTQ couples get married." Parenting in LGBTQ couples is becoming more respected than it has been in the past. Yet, I don't think that acceptance of LGBTQ people is a quick translation to recognition that domestic violence happens in LGBTQ relationships, especially because those of us who are trying to prove that our relationships should be valued don't necessarily want to reveal that there are sometimes problems, that abuse happens in our relationships too. We are struggling just for recognition and acceptance, and, of course, there is a reticence to cloud the image we are trying to project by acknowledging that, just like in heterosexual relationships, domestic violence occurs in same-sex relationships, too.

Molly Herrmann

Page 44, [2013 Wisconsin Domestic Violence Homicide Report](#)

Same-sex divorce provides important rights not only for the spouses, but for the children of the couple. Until Wisconsin recognized marriage equality, same-sex couples had very limited options in creating a custodial relationship between the non-biological partner and the child. In Wisconsin, “placement” involves the right to have the child live with the parent pursuant to a placement schedule and “legal custody” is concerned with which parent can make major decisions that have an impact on the child, such as those related to health care, religion, education, and obtaining a driver’s license. Today, with same-sex marriage, the other spouse can simply obtain a step-parent adoption of the child and possess joint legal custody of the child. A step-parent adoption is an inexpensive and a relatively simple legal procedure. If the couple should later divorce, each parent would have the same legal claim to the child’s custody and placement.

Prior to marriage equality, the biological partner held all of the legal rights to the child’s custody and placement. The other partner was reduced to seeking merely visitation with the child. To appreciate the diminution of the partner’s role under the law, a parent is entitled to “placement” of a child whereas a “third party” may seek “visitation” with the child. Although the Courts in recent years have blurred the distinction between “placement” and “visitation,” the concept of visitation has generally been shorter in duration and less meaningful than a parent’s right to placement of a child. A common placement order consists



Having two moms was just our life, so there was nothing unusual about it. Laura (we called her “Bubs”) would pick us up, feed us dinner, and take us out. It just never seemed different to us because that was our family.

Adam: When I was in third grade, I joined the Boy Scouts. I was super excited. I didn’t understand why Bubs couldn’t be a Den Leader. There were all kinds of special permissions we had to have granted because she wasn’t one of the dads in the Den. I used to get pressured by the dad who ran the troop, “Don’t you want your dad to come to this?” I would say that I wanted Bubs to come. Bubs is the cool one.

Fran: For me, I feel like I went from a single-mom experience to a full-family experience when our moms got together. I went from having one parent who worked a lot, to having two parents at home cooking dinner, going on outings, and taking vacations. I think a lot of people who become parents think, “What is it that I am missing? What experiences can I provide for my kids by making this choice, or that choice?” I feel like with same-sex relationships a lot of people are on the outside looking in, judging and saying that same-sex partnerships aren’t providing certain things.

Fran: Our moms split up when I was a teenager and Bubs moved out. Bubs’ new partner, Kathy, became our stepmother. I was able to split my time between Bubs at her home and my other mom at my other home. I felt supported by all three women and they helped guide me through my teen years. I got more out of my life having more people in my family. These bonds are not momentary. They’re not fleeting. It’s just like with anyone who falls in love, has children, has a life, or creates a life with someone else. It’s colorless. It’s gender-less. It’s pure emotion.

— *Diverse & Resilient, Acceptance Journeys*

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of exchanging the child's placement on a weekly basis. A common visitation order for a grandparent or step-parent is every other weekend for a few hours, or one full weekend a month with the "third party."

In order for partners to have equal status as parents under the law in Wisconsin, it is imperative that they marry and obtain a step-parent adoption. Absent these two steps, the non-biological parent will be limited to seeking only visits with the child if the partners' relationship ends. This is true even if the partners marry but fail to take the extra step of a step-parent adoption.

If the partners married but failed to follow through with a step-parent adoption, the non-biological partner would seek visitation in the underlying divorce action as a step-parent pursuant to Wis. Stat. §767.43. Under this statute, the partner would demonstrate that he or she had a parent-like relationship with the child and it would be in the child's best interests to have visitation with the partner.

If they never married, the step-parent visitation statute is not available to the partner, and he or she would need to commence a "*Holtzman* claim." A *Holtzman* claim is based on a Wisconsin Supreme Court decision finding that the courts have equitable authority, outside of the family statutes, to grant visitation to individuals who had a parent-like relationship with a child. The legal prerequisites for a Court to grant a partner visitation rights under *Holtzman* are more complex and varied than what a step-parent must establish under the step-parent visitation statute. And, again, neither remedy provides the non-biological partner with any discretion to make custodial decisions involving the child.

Marriage helps bring parity to spouses in regards to finances and children. Nevertheless, some couples may choose not to marry for some very legitimate reasons. Those couples may still seek legal relief from the Court when those relationships end, but the legal complexity and expense of such cases will be far greater.

Finally, an important caveat about same-sex marriage: The U.S. Supreme Court is currently considering four same-sex marriage cases in which it must decide whether the Due Process and Equal Protection clauses of the U.S. Constitution guarantee the right to marry to gay men and lesbians. If the U.S. Supreme Court determines that a state may ban same-sex marriages, then it overrules our *Wolf v. Walker* decision and Wisconsin could return to denying recognition of same-sex marriage. This would mean that for those couples who already married in the past year, marriage status would be uncertain. It is an understatement to say that such a decision from the U.S. Supreme Court would create legal havoc not only in Wisconsin but throughout the 37 states that recognize same-sex marriage. The current makeup of the U.S. Supreme Court consists of 4 Conservative judges, 4 Liberal justices, and Justice Kennedy who is a Conservative but has been quite supportive of gay rights. We need to stay tuned until the end of June when the Supreme Court decides their most important and controversial cases.

Join Chris Krimmer July 15 at 11:00 AM for a webinar update on the status of same-sex marriage laws in Wisconsin.

This webinar will include a discussion of this summer's U.S. Supreme Court decision in which the right of same-sex couples to marry will be affirmed, or the door may be opened for WI's ban on same-sex marriage to be reinstated. The webinar will also address unique aspects of divorce for gay and lesbian couples who married, and how to apply various family law statutes in the context of same-sex marriage, such as those involving adoptions and the children born during marriage. **REGISTER NOW or visit www.endabusewi.org/content/events/WCADV-trainings for more information.**

End notes for this article have been omitted in the newsletter, but the article with end notes is available on the End Domestic Abuse WI website. [Download the full article with end notes.](#)

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Resources

focusing on the unique needs of aging LGBTQ persons

The National Resource Center on LGBT Aging offers several Best Practices Guides that can be downloaded or ordered in print form, free of charge. They include the two guides quoted on this page.

[View a list of available publications](#)

(www.lgbtagingcenter.org/resources/resources.cfm?s=35)

“Building Respect for LGBT Older Adults,” also from the National Resource Center on LGBT Aging, is an online tool intended for long term care and other aging service providers as an introduction to LGBT aging. This tool is split up into six modules, each approximately 10 minutes long. We recommend that you watch them in order. They do not need to be watched all at once.

[Read more and access *Building Respect for LGBT Older Adults*](#)

(www.lgbtagingcenter.org/training/buildingRespect.cfm)



“The vast majority of LGBT older adults have lived through discrimination, social stigma, and the effects of prejudice both past and present...[which] puts LGBT older adults at greater risk for physical and mental illnesses, and other issues including social isolation, depression and anxiety, poverty, chronic illnesses, delayed care-seeking, poor nutrition and premature mortality.”

— Page 4, *Inclusive Services for LGBT Older Adults: A Practical Guide to Creating Welcoming Agencies*, by Services and Advocacy for GLBT Elders (SAGE) and the National Resource Center on LGBT Aging. www.lgbtagingcenter.org

“Keep in mind that LGBT older adults may not have kept up with cultural language shifts and may still use terms that are now considered outdated or offensive, such as ‘homosexual,’ ‘lifestyle,’ or ‘sexual preference.’”

— Image from page 11, text from page 10, *Age-Friendly Inclusive Services: A Practical Guide to Creating Welcoming LGBT Organizations*, by Services and Advocacy for GLBT Elders (SAGE) and the National Resource Center on LGBT Aging. www.lgbtagingcenter.org

[O]ne in five of us is disabled, [which] means everyone knows someone with a disability. Every family has one of us, every workplace, every school, every friend. We are everywhere. But is disability addressed in any community — LGBT or any other — or are we shunted aside as much in 2013 as we were centuries ago, kept out of institutions by recent laws, but not by attitudes?

— “From Coming Out As...Disabled: Why coming out about using a wheelchair is harder than you think,” by Victoria A. Brownworth, *Advocate.com*, October 11 2013
(www.advocate.com/commentary/coming-out/2013/10/11/coming-out-asdisabled)

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Resources

highlighted in the WI Department of Children & Families Domestic Abuse Program webinar series

The NW Network of Bisexual, Trans, Lesbian and Gay Survivors of Abuse works to end violence and abuse by building loving and equitable relationships in our community and across the country. (<http://nwnetwork.org/>)

Northwest Network Clearinghouse

(<http://nwnetwork.org/resources/clearinghouse/>)

The Northwest Network provides this link to an online gathering space for information, articles, evidence-based research, and community-generated information on a broad-spectrum of issues relating to domestic violence, sexual assault, stalking, and other forms of abuse impacting LGBTQ communities.

FORGE provides support to the transgender community and Significant Others, Friends, Family, and Allies (SOFFAs). (<https://forge-forward.org/>)

Creating a Trans-Welcoming Environment

(http://forge-forward.org/wp-content/docs/trans-welcoming-environment_tipsheet.pdf)

This tip sheet was created for sexual assault services providers.

Sheltering Transgender Women: Providing Welcoming Services

(http://www.vawnet.org/Assoc_Files_VAWnet/NRCDDV_TAG-TransWomenShelter-Sept2014.pdf)

This Technical Assistance Guidance highlights effective strategies for integrating trans women into shelter, building on the knowledge that most shelter staff and allied professionals have already developed practice, familiarity, and skill in providing shelter services to women.



The Network La Red

(<http://tnlr.org/>)

The Network/La Red is a survivor-led, social justice organization that works to end partner abuse in lesbian, gay, bisexual, transgender, BDSM, polyamorous, and queer communities. Rooted in anti-oppression principles, their work aims to create a world where all people are free from oppression.



Assessing Your Agency

(<http://tnlr.org/wp-content/uploads/2011/04/Assessing-Your-Agency-2010.pdf>)

This checklist can provide a baseline to measure an organization's progress toward inclusivity to LGBTQ survivors.

Open Minds Open Doors

(<http://tnlr.org/resources/#OMOD>)

The Network/La Red created the manual *Open Minds Open Doors* to help domestic violence providers become more inclusive of LGBTQ/T survivors. It contains information on LGBTQ/T communities, LGBTQ/T partner abuse, assessments, policy recommendations and resources. To download a free copy of *Open Minds Open Doors* at the site listed above, The Network La Red requests your email address and the name and contact information for your organization.

LGBTQ Power and Control Wheel is among the resources listed by **The New York City Anti-Violence Project**.

(www.avp.org/storage/documents/Training%20and%20TA%20Center/2000_AVIP_IPV_Wheel.pdf)

The Gay, Lesbian, Bisexual and Transgender Youth Project and OutHealth! offer **Tips for Creating Intake Forms, Records, and Charts That Are Inclusive of Lesbian, Gay, Bisexual, and Transgender Clients**.

(<http://www.healthimperatives.org/sites/default/files/spiritweb/GLYS/Tip%20sheet%20-%20intake%20forms.pdf>)

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Resources

focusing on LGBTQ youth and teens

Understanding Your Gender

(www.genderspectrum.org/explore-topics/teens/#more-347)

In this article you'll find resources to help teens, between the ages of 13 and 19, navigate their Gender identity at school or home, with their doctor, and even their friends.

Branching Seedz of Resistance

(<http://coavp.org/bseedz>)

Branching Seedz of Resistance is a youth-led project working to build community power to break cycles of violence affecting LGBTQ young people. Using strategies of community organizing, arts & media, action research and direct action they spark dialogue, educate, and empower youth to take action. They continue to build a base of youth leaders locally and nationally who are committed to fighting for safety and justice in their lives, families, and communities.



Photo from *genderspectrum*, *understanding your gender*, at www.genderspectrum.org/explore-topics/teens/#more-347

Teen Dating Violence Among LGBTQ Youth

(www.hrc.org/resources/entry/teen-dating-violence-among-lgbtq-youth)

The Human Right's Campaign gives an overview of the rates of Intimate Partner Violence amongst LGBT Youth and offer resources at the end of the article.

looks sounds feels

(www.youtube.com/watch?v=S53l6fQp144)

This short video (1:44) is about what homophobia & transphobia feels like to LGBT people.

Kicked Out: LGBT Youth Experience Homelessness

(www.youtube.com/watch?v=TUhqodigPFk)

This video (16:55) features stories from LGBT youth that have experienced homelessness.

One of the only studies on LGBTQ teens, released by the Urban Institute, showed significantly higher rates of dating violence among LGB youth than among non-LGB youth. Those who reported being physically abused by dating partners included:

- 29 % of heterosexual youth
- 42.8 % of LGB youth
- 88.9% of transgender youth

From The Human Rights Campaign "Teen Dating Violence Among LGBTQ Youth" at www.hrc.org/resources/entry/teen-dating-violence-among-lgbtq-youth

Safe Places. Safe Spaces: Creating Welcoming and Inclusive Environments for Traumatized LGBTQ Youth

(www.nctsn.org/products/nctsn-safe-places-video)

This video from the National Child Traumatic Stress Network (NCTSN) introduces the viewer to the needs of LGBTQ youth who have experienced trauma. You may use the video as a training tool, for example, during a staff meeting or in supervision with staff. You can show the video in its entirety or in segments. However you use this resource, be sure to allow time for discussion after viewing the video. Questions to facilitate growth, learning, and change follow.

This issue of the Chronicles was developed by:

Molly Herrmann, consultant with Humble Pie Consulting and co-chair of the statewide LGBTQ Intimate Partner Violence Committee supported by End Abuse and WCASA.

Cody Warner, End Domestic Abuse WI Children & Youth Prevention & Outreach Coordinator and staff to the LGBTQ Intimate Partner Violence Committee

Colleen Cox, End Domestic Abuse WI Education Coordinator and Chronicles editor

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