

The Honorable Ramona A. Gonzalez

Presiding Judge, State of Wisconsin Circuit Court
President-Elect, National Council of Juvenile and Family Court Judges

Testimony before the House Judiciary Subcommittee on Crime,
Terrorism, and Homeland Security on the “Reauthorization of the
Violence Against Women Act”

March 7, 2019

Good Morning Chairwoman Bass, Ranking Member Ratcliffe, and Members of the Subcommittee. It is my honor to testify before you at today’s hearing in support of the Reauthorization of the Violence Against Women Act (VAWA).

My name is Ramona A. Gonzalez, and I am an elected Circuit Court Judge with a court docket that covers every type of case from the traffic ticket to the murder trial and everything criminal and civil in between. My court is located in La Crosse, Wisconsin, on the shores of the majestic Mississippi River.

I also serve as President-Elect of the National Council of Juvenile and Family Court Judges (NCJFCJ), the oldest judicial membership organization in the nation. My work with the NCJFCJ is voluntary and critically important as the organization has been instrumental in educating judges, referees, commissioners, court administrators, attorneys, social and mental health workers, probation officers, and other justice professionals across the country for 81 years. The NCJFCJ serves an estimated 30,000 professionals.

Like all of my judicial colleagues across the nation, I have sworn to fulfill my duty in the greatest system of justice in the world to the best of my abilities to assure just and safe communities for all.

I would like to focus my testimony this morning on my view from the bench, and specifically on ways to support the practices that improve outcomes and ensure the safety of victims. This view from the bench will come in the form of examples of real life cases or situations that I am aware of. Names have been changed to protect the privacy of those involved.

In July, I will have served 24 years in this noble cause. Over those 24 years I have seen the benefits of what began when VAWA was first passed in 1994 as well as the continued improvements made in 2000, 2005 and 2013. I have seen for myself the effective use of small amounts of money by communities to improve the response to domestic violence, sexual assault, dating violence and stalking.

The critical enhancements included in each successive reauthorization bill have reflected changes in our social norms and a better understanding by my colleagues on the bench on how to help serve victims in addition to impacted family members while keeping communities safer.

I have had a front row seat to the slow steady transformation of our courts of justice to trauma crisis triage centers. The human trauma and crisis I confront in my courtroom everyday are complex and require new knowledge and skills which I did not learn in law school and nor are they teaching it today. Much of this work is counterintuitive. Domestic and sexual violence can present itself in all types of cases and in multiple cases at the same time. Through training, judges must understand the impact of the economic realities faced by families as well as the dynamics of coercive control. Judges must be able to recognize the signs no matter the case type. The training offered by the NCJFCJ assists judges across the nation in understanding these dynamics.

Let me give you an example of what I have seen in my own courtroom. A mother of 5 is arrested for possession of Lorazepam

without a prescription. Police are concerned her drug use may directly impact her ability to properly care for her children. The drug use is just the visible part of this family's iceberg of trauma. Hidden from view, the father exercises coercive control over mom and the children using physical violence and emotional terror. The mom uses drugs to escape and cope with her situation and their children get absorbed into the toxicity. What can be done?

Without a coordinated community response that is required by VAWA, this family will drain financial and emotional capital from the community for generations to come in a cycle of violence. This kind of response along with judicial leadership, encouraging jurisdictions to bring together key stakeholders from diverse backgrounds to share information and use their distinct roles to improve community responses to violence against women include judicial personnel, victim advocates, police officers, prosecutors, probation and corrections officials, health care professionals, leaders within faith communities, and survivors of violence against women. Going even deeper within the judicial branch, as part of the changes brought about by VAWA, courts also are coordinating their calendars bringing all of the cases involving a family before the same judge so all of the information needed to make meaningful orders is available reducing duplication of court efforts and resulting in effective interventions. One of the fundamental principles of the NCJFCJ is the concept of "one family – one judge" across all case types, including domestic violence. In my home state of Wisconsin this concept has been implemented and used throughout various counties and nationally. The system works in silos and families do not, one judge-one family ensures that families are not re-victimized or re-traumatized by having to re-tell their story again and again and further delaying a timely decision or action of protection.

Training opportunities supported by the VAWA have been critical as judges, prosecutors, law enforcement and communities learn how to better respond to the four key crimes. For judicial personnel, training

supported by the Office on Violence Against Women Grants to Support Families in the Justice System project has helped build evidence and best practices to train judges on how to effectively recognize the signs of violence in the home and improve safety for children and their families. Specifically, the National Judicial Institute on Domestic Violence (NJIDV), a partnership among the Office on Violence Against Women, Futures Without Violence and the NCJFCJ has provided highly interactive, skills-based domestic violence training workshops for judges and judicial officers nationwide since 1999.

Judges from most of the 50 states and U.S. Territories have come together, learned from each other and developed professional relationships that support them and their communities. Through interactive workshops judges experience the challenge of constantly analyzing the cost/ benefit of each decision a victim must make to avoid the violence which then impacts the decisions they must make to protect themselves and their children, i.e., should they stay or go?; should they seek services?; should they report violence to law enforcement?

As a participating novice and later as lead faculty in these workshops, I have been in the room as judges struggle with the complicated realities of those who come to court to access justice. The special “aha moments” of recognition as judges find a way to impact and manage the violence presented before them, in some cases managing their own bias, is critically important as they leave these trainings empowered to go back to their respective courts to serve the men, woman and children in their community.

The programs supported by VAWA and the Office on Violence Against Women are essential to the justice system’s response to victims of domestic violence, sexual assault, dating violence and stalking, and to how well all justice professionals, judges, prosecutors, law enforcement and service providers included, work

together to ensure the safety of victims and their families while reducing violence and holding perpetrators accountable.

Safety and justice are the priorities for all of us. In today's mobile world, safety requires the same services and protections that are available to all victims of domestic violence, sexual assault, dating violence and stalking, as well as their families, without regard to their zip code. What do I mean by that?

Another common example from my state but also occurs in other states: A tenant appears for small claims eviction, does not object and landlord is given a writ of eviction. The Sheriff's deputy goes to serve the eviction and finds a parent and children who have been in the local domestic violence shelter returning after filing a civil protection order on the other adult tenant who went to court to get the writ of eviction.

A specific example out of Arizona, Corrine and her two-year-old baby have been at Chrysalis' shelter for one month. Within that time Corrine has acquired a job, and regretfully had to give it up due to not being able to find and keep adequate childcare. This news did not shake Corrine too much, because shortly after she qualified for Rapid Re-Housing through A New Leaf, she was given a voucher which provides her with an apartment and utilities for up to one year with wrap around services at designated apartments.

Corrine was ambitious and began going down the list of apartments that accepted vouchers. One after another she ran into the same problem every time. "They didn't accept me because of my previous eviction. I tried explaining to them that it was due to domestic violence, but they wouldn't take me unless I had proof. I really regret never calling the police now—but at the time I had a baby to worry about, you know—I just wanted to protect my girl." Oftentimes, survivors are unaware of their rights as a domestic violence victim,

they are afraid to report due to safety issues, or too much time has lapsed for them to report.

A Chrysalis Case manager (CM) stepped in to provide Corrine with assistance and encountered the same problem. In an effort to better help serve her client, the CM began making a list of apartments that would accept vouchers and also people with evictions. The list is still a work in progress. After calling over 20 apartments, only eight apartments will accept vouchers and people with evictions in the entire Metropolitan Phoenix area. Even then, each apartment has its own rules on the length of time that needs to pass from the eviction in order to grant housing.

Every housing voucher given out has expiration after 60 days. With only a month left on her voucher, Corrine's demeanor has transitioned from positive, smiling, and cheerful to one filled with anguish and defeat. The other day she walked into her CM's office crying and saying "I just want to give up."

Currently, in this example there are six domestic violence survivors with this very same issue staying in this shelter. This issue is a barrier to their clients finding permanent housing and finding stability. Often, this situation forces them to choose between homelessness and going back to their abuser. This occurs in Wisconsin and other states. I know this because of the training and judicial colleagues I have been exposed to by the NCJFCJ Judicial Engagement Network. Victims should be treated the same regardless of zip code.

Victims of domestic violence, sexual assault, dating violence and stalking that come before me in court are in need of support and services that achieve and enhance the safety, well-being, and stability of these individuals as well as their families and loved ones. Though my work on and off the bench with the support of the NCJFCJ, I lead efforts to ensure that judges and court personnel receive appropriate training and education in order to understand the dynamics of

violence in the home and the impact that has on the behaviors and actions of individuals who come into our courtrooms. While perpetrators must be held accountable, judges must also understand and work with community partners to provide services and supports to victims as well as those around them that witness violence in the home – most notably children – to keep them safe, free from trauma and productive members of the community. And it is through the Violence Against Women Act, which provides resources to support research, training, evidence-based practice, and a coordinated community response, that I, and my colleagues around the country, are able to achieve this.

VAWA grant programs largely address the criminal justice system and community response to these crimes, as well as prevention. The fundamental goals of VAWA are to prevent violent crime; respond to the needs of crime victims; learn more about crime; and change public attitudes through a collaborative effort by the criminal justice system, social service agencies, research organizations, schools, public health organizations, and private organizations.

Since the enactment of VAWA, states and communities have made significant progress on raising awareness about sexual and domestic violence, improving services and resources for survivors, and improving the criminal justice system's response to crimes of domestic and sexual violence. But, there is much more to do. With the advances of technology, cyber-stalking, cyber-violence, etc. the need for continued attention, dialogue, and funding is imperative for safety.

On any given day in any given state, county, city or tribal land, arrests are made for crimes of domestic violence, sexual assault, dating violence and stalking and perpetrators and firearms are removed from the home. That is an improvement from pre-VAWA when the justice system viewed these crimes as a private family matter not worthy of

intervention. But there is so much more that must be done to end this violence.

Removal from the home works for the system of justice for a particular case but in many of the cases I see before me every day the victim just wants the violence to end. Removal demonstrates a serious concern for safety, but if we ignore the economic realities such as -- Who is going to pay the rent? And who will watch the kids while I go to work? What about our family dog? How will the kids get to school? -- the violence will not end and the safety for victims and families will continue to be illusive.

Today, communities have worked to coordinate the response to victims of domestic violence, sexual assault, dating violence and stalking. Today that call for help is responded to by trained officers, often with trained advocates to provide support as part of an OVW Domestic Abuse Response Team. With the goal of preventing repeat episodes of domestic violence in families at risk, police officers are paired with victim advocates who respond and follow-up with resource information and support. Victims are then, more likely to cooperate with the process of holding perpetrators accountable and the courts and communities are better able to identify appropriate interventions.

Thank you for holding this hearing – it demonstrates that there is agreement about the need for Congress to pass an enhanced and updated Violence Against Women Act reauthorization bill to serve victims of violence. Our communities have come a long way from those early days when a child's scared call to 911 concerning violence in his home would end with untrained police responding and leaving after being assured by the source of the violence that all was well.

Addressing the issue of domestic violence requires everyone from the community to be aware and engaged, from law enforcement,

advocates and the judiciary. Judges are a resource and are available to you and our communities. Historic and monumental legislation like the Violence Against Women Act continues to make these issues a priority and provide a platform for change and safety. Healthy and safe communities should be the expectation not an exception. We can do better and need to do so.

I am available for any questions the committee may wish to ask of me.

For further information or resources, please visit www.ncjfcj.org.