

TO: Senate Committee on Substance Abuse Prevention, Children and Families  
FROM: Lauren Hamvas & Abby Bar-Lev Wiley, Legal Action of Wisconsin;  
Megan Lee, Judicare Legal Aid  
DATE: 01/25/2023  
RE: SB 877's Positive Impact on Our Clients & Client Communities

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Thank you for the opportunity to testify in favor of SB 877. We are deeply grateful to help raise awareness of the scope of devastation wrought by the VOCA cuts, and to support this bill that would provide critical financial support to so many important organizations in the DV/SA community.

We are here representing Legal Action of Wisconsin and Judicare Legal Aid. Our two non-profit law firms work together to ensure that all low-income Wisconsinites—from Milwaukee to Ashland—receive high-quality, free legal assistance for their civil legal problems. A large portion of our work is funded by VOCA, including our Elder Rights Project, which represents elderly victims of crime, our Family Law work representing victims of domestic violence and sexual assault in divorce proceedings and orders for protection, and our Crime Victims' Rights project, which represents victims of crime who otherwise often lack a voice in criminal proceedings. In fact, our collaborative, statewide Crime Victims' Rights Project submitted an appeal and argued the case in front of the Wisconsin Supreme Court to ensure that victims' private mental health records could not be examined and unfairly used against them in a criminal trial—and we won, overturning long-standing precedent.

We are speaking here today in favor of SB 877 because our survivor-clients deeply depend on Domestic Violence & Sexual Assault (DV/SA) agencies. VOCA funding cuts are already being deeply felt across the DVSA landscape, including in areas like safety planning, community service referrals, counseling, crisis intervention, and legal services. VOCA cuts will decimate these critical lifelines—including our work providing legal representation to survivors—if the State does not help cover the gap.

There are many pieces to the puzzle that a survivor must navigate in the course of their journey from being victimized to finding healing. There is no single navigator walking that individual through the steps. Organizations rely on each other to help ensure that a survivor has the information they need to easily and confidently continue their healing journey. Tragically, the VOCA cuts mean that many survivors will now fall through the cracks, and it is not certain that they will be able to find and obtain the help they need. This bill would provide a critical support to many DV/SA agencies that our clients—and our firms—rely upon, to ensure that they can continue to help survivors through a crisis.

While SB 877 does not include legal services, legal aid is another critical resource facing insurmountable gaps in coverage due to funding cuts. Together, Legal Action and Judicare are the primary sources of lawyers for victims of crime, and we work collaboratively with DV/SA agencies, law enforcement, and DA's offices to provide necessary legal help to victims of crime. To help better understand the scope of the VOCA cuts, we wanted to share just a few client stories with you.

*Helping Sharon navigate a criminal sexual assault case as a survivor*

In our work in the statewide crime victims' rights project, we often interact with different VOCA-funded partners. Our client, Sharon, was a woman in her 50s who had been sexually assaulted in her home. During the assault, Sharon experienced injuries that required multiple surgeries. After the assault, Sharon sought services through her local DV/SA agency. Sharon worked with an advocate to seek supportive services and help find stability after a devastating trauma. This advocate worked with other community agencies to connect Sharon

with crucial supports to stabilize her employment, get access to medical care, and secure her mental health treatment. We got involved with the case to help Sharon protect her mental health records within the criminal case and to help her better understand and advocate for her rights as a crime victim. With Sharon's permission, we collaborated with her advocate to best meet her needs. Her advocate helped get Sharon to doctor appointments, surgeries, and court hearings in the criminal case. I worked with the advocate to ensure that Sharon's concerns were being addressed and her needs were being met. Through this collaboration, we were able to empower Sharon to regain control in her life and begin the difficult process of healing after a sexual assault that left deep mental and physical injuries.

#### *Helping Tara divorce an abusive spouse*

Another one of our attorneys worked with a rural DV/SA agency to help walk a client, Tara, through leaving her abusive spouse. Tara and her young children were still living with her abuser when she started working with Judicare and her local DV/SA agency to seek guidance on leaving. Tara's spouse controlled her mail, phone, and email, severely restricting her access to help. Fortunately, Judicare was able to work with Tara's advocate at her local DV/SA agency to connect with Tara when she was outside of her husband's close supervision. Tara wanted to leave her abusive spouse but was afraid that he would try to get her arrested for kidnapping if she fled with the children. We provided Tara with legal advice about leaving and starting the divorce process, in collaboration with her advocate. Tara was able to move herself and her children out of the house, into a safe situation with relatives. Tara is now in the process of getting divorced from her abusive spouse and on the path the rebuilding her life for herself and her children.

#### *Helping Morty obtain a restraining order & return home*

Morty is elderly and disabled. He was being physically abused by his live-in girlfriend. Morty did not have transportation or a phone to seek help. The local DV agency moved him into a hotel for temporary safety and helped Morty get connected with us for legal assistance with a restraining order. While the agency arranged for a phone for Morty, they coordinated communication between Morty and Legal Action so that he could prepare for the upcoming hearing. We were able to obtain the Restraining Order for Morty and remove his abuser from the home so that he could return safely. Without the coordination between the agencies, he may have remained in an unsafe, abusive situation.

#### *Bypassing an abusive spouse to empower Marcy*

Another former client, Marcy, had been in an abusive marriage for over 40 years. Marcy has significant physical disabilities and is functionally mute. This made her heavily reliant on her husband for care, which he used as a means to control her. The only time he would allow her to be separated from him was for her monthly counseling appointments (where he remained in the waiting room). The domestic violence agency staff coordinated her counseling appointments with us and would help us sneak in through a back door, so that her husband was unaware that she was meeting with us during a part of the session. Thanks to the DV agency, we were able to empower Marcy with the information and assistance that she needed, including eventually removing her husband as healthcare power of attorney, his access to her healthcare records, and we were able to give her advice about divorce and restraining orders.

There are many ways that legal services helps victims of crime, but we could not be effective advocates without the critical work done by the many DV/SA agencies for which SB 877 would keep the lights on. Thank you to the advocates who worked on this bill and to the legislature and Committee for considering how the bill would benefit crime victims and DV/SA agencies across the state.