

**WEST VIRGINIA
SECRETARY OF STATE
BETTY IRELAND
ADMINISTRATIVE LAW DIVISION**

Form #3

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SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: Secretary of State TITLE NUMBER: 153

CITE AUTHORITY: § 48-28A-110

AMENDMENT TO AN EXISTING RULE: YES ☐ NO ☒

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 37

TITLE OF RULE BEING PROPOSED: Administration of the Address Confidentiality Program

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.


Authorized Signature

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: 2/15/2008

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) West Virginia Secretary of State's Office

Building 1, Suite 157-K 1900 Kanawha Blvd., East

Charleston, WV 25303

LEGISLATIVE RULE TITLE: _____

Administration of the Address Confidentiality Program

1. Authorizing statute(s) citation _____

§ 48-28A-110

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:

1/4/2008

b. What other notice, including advertising, did you give of the hearing?

None

c. Date of Public Hearing(s) *or* Public Comment Period ended:

2/4/2008 12:00pm

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached 2 No comments received _____

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

2/15/2008

- f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Greg Howard, Chief Counsel

Building 1, Suite 157-K

1900 Kanawha Blvd., East

Charleston, WV 25303

- g. **IF DIFFERENT FROM ITEM 'f'**, please give **Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

b. Date of hearing or comment period:

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

d. Attach findings and determinations and reasons:

Attached

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Administration of the Address Confidentiality Program

Type of Rule: ☒ Legislative ☐ Interpretive ☐ Procedural

Agency: Secretary of State

Address: Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305

Phone Number: 1-304-558-6000 Email: ghoward@wvsos.com

Fiscal Note Summary

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

In order to administer the program, a post office box will need to be purchased (rented) for an estimated one-hundred dollars annually.

Fiscal Note Detail

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost			
Personal Services			
Current Expenses	100.00		
Repairs & Alterations			
Assets			
Other			
2. Estimated Total Revenues			

Rule Title: _____

Rule Title: Administration of the Address Confidentiality Program

3. Explanation of above estimates (including long-range effect):

Please include any increase or decrease in fees in your estimated total revenues.

N/A

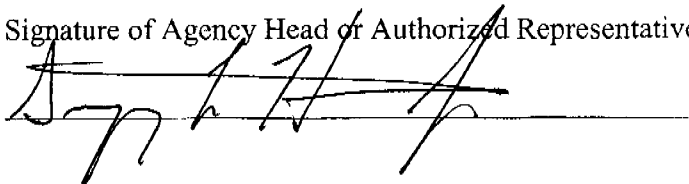
MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not** have a fiscal impact, and/or any special issues **not** captured elsewhere on this form.

N/A

Date: 2/15/2008

Signature of Agency Head or Authorized Representative



PROPOSED LEGISLATIVE RULE § 153-37

Administration of the Address Confidentiality Program

STATEMENT OF PURPOSE

The Code of West Virginia was amended by adding a new article designated as § 48-28A-110 et. seq. that created the Address Confidentiality Program. The purpose of the legislation is to enable state and local agencies to respond to requests for public records without disclosing the location of a victim of domestic abuse, sexual assault, or stalking. Specifically, it states that the Secretary of State shall provide address confidentiality for victims and that state and local agencies will accept this address as a substitute for a residential or mailing address.

This legislative rule is written to facilitate the administration of the Address Confidentiality Program. The rule describes the manner and process for application to the program by prospective participants and applications assistants. The rules further includes sections on cancellation of program certification, exercise of program participant privileges, program participation renewal, application for agency disclosure requests, disclosure to law enforcement, service of process and establishes uniform statewide procedures for maintaining the confidentiality of a program participant's name and address information in voting records.

COMMENTS

Comments were received from two parties on this rule.

- 1) No changes have been incorporated from the comments received on January 9, 2008, from Ron Foster, with Men and Women Against Discrimination.
- 2) Section 12.2 was amended to reflect a suggestion in comments filed on February 1, 2008, by Dee-Ann Burdette with the West Virginia Department of Health and Human Resources.

TITLE 153
LEGISLATIVE RULE
SECRETARY OF STATE

SERIES 37
ADMINISTRATION OF THE
ADDRESS CONFIDENTIALITY PROGRAM

FILED
2000 FEB 15 PM 2:44
CLERK OF THE
SECRETARY OF STATE

§153-37-1. General.

1.1. Scope. -- This legislative rule is written to facilitate the administration of the Address Confidentiality Program. The rule describes the manner and process for application to the program by prospective participants and application assistants. The rule further includes sections on cancellation of program certification, exercise of program participant privileges, program participation renewal, application for agency disclosure requests, disclosure to law enforcement, service of process and establishes uniform statewide procedures for maintaining the confidentiality of a program participant's name and address information in voting records.

1.2. Authority.-- W.Va. Code § 48-28A-110.

1.3. Filing Date. --

1.4. Effective Date. --

§153-37-2. Definitions.

2.1. "Agency" means an office, department, division, bureau, board, commission, or other statutory unit of state or local government or any functional subdivision of that agency.

2.2. "Applicant" means an adult, a parent or guardian acting on behalf of an eligible minor, or a guardian on behalf of an

incapacitated person applying for certification in the Address Confidentiality Program as a program participant.

2.3. "Application" means a standard application form provided by the Secretary of State which must be completed by an applicant with an application assistant.

2.4. "Application assistant" means an employee of a state or local agency, or of a nonprofit program that provides counseling, referral, shelter or other specialized service to victims of domestic abuse, rape, sexual assault or stalking, and who has been designated by the respective agency or nonprofit program, and trained, accepted and registered by the Secretary of State to assist individuals in the completion of program participation applications.

2.5. "Authorization card" means a card issued by the Secretary of State to a program participant upon certification, which includes program participant's name, authorization code, designated address and certification expiration date.

2.6. "Authorization code" means a number assigned to a program participant upon acceptance into the program.

2.7. "Certification" means the process by which an applicant is determined eligible to participate in the program.

2.8. "Critical precinct list" means a list of precincts maintained by each county clerk's office in which program participants are registered to vote.

2.9. "Designated address" means the address assigned to a program participant by the Secretary of State.

2.10. "Designated county contact" means the county clerk or her or his designee who will be the primary contact for the Secretary of State for this program.

2.11. "Mailing address" means an address that is recognized for delivery by the United States Postal Service.

2.12. "Program" means the Address Confidentiality Program established by WV Code 48-28A-101.

2.13. "Program manager" means the employee, within the Office of the Secretary of State, designated by the Secretary of State to operate and manage the Address Confidentiality Program.

2.14. "Program participant" means a person certified by the Secretary of State to participate in the Address Confidentiality Program.

2.15. "Protected records voter" means a program participant who has applied and qualified as a registered voter during the time she or he is certified as a program participant.

2.16. "Record" means any information relating to the conduct or performance of a governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

2.17. "Residential address" means a residential street, school or work address of an individual, as specified on the individual's application to be a program participant.

§153-37-3. Application Assistant Registration.

3.1. All application assistants must be registered by the Secretary of State to participate in this program, and application assistants will be given a registration number once registered.

3.2. Application assistant registration will only be awarded when the prospective application assistant:

3.2.a. Is a service provider or works with an agency and can demonstrate to the Secretary of State relevant qualifications to work with victims of domestic abuse, rape, sexual assault or stalking;

3.2.b. Successfully completes any program orientation or training session sponsored by the Office of the Secretary of State;

3.2.c. Completes an application for prospective application assistants which includes the applicant's name, address, service provider or agency, supervisor's name and relevant qualifications;

3.2.d. Agrees to adhere to the policies, procedures and directions provided by the Secretary of State for rendering assistance to program applicants; and

3.2.e. Agrees to adhere to the instructions and terms provided in the

application assistant agreement proscribed by the Secretary of State.

3.3. Application assistant registration shall be valid for two years, unless terminated sooner as provided herein.

3.4. The application assistant agrees not to discriminate against any client, or potential program participant, because of race, creed, color, national origin, gender, sexual orientation, age, or mental, physical or sensory disability.

3.5. The application assistant performing under this agreement is not deemed to be an employee of the Secretary of State or an agent of the Secretary of State in any manner whatsoever. The application assistant will not hold herself or himself out as, nor claim to be an agent or employee of the Secretary of State or the State of West Virginia simply because she or he is a program application assistant and will not make any claim, demand, or application to or for any right or privilege applicable to an agent or employee of the Secretary of State or the State of West Virginia.

3.6. An application assistant's registration may be terminated by the Secretary of State for failing to abide by any requirement set forth by the Secretary of State or for failing to act in accordance with requirements of the Address Confidentiality Program.

§153-37-4. Program Participant Application and Certification Process.

4.1. An applicant shall complete, date, sign and provide all the information required under W.Va. Code § 48-28A-103, and as requested on the application.

4.2. The application shall include an attestation by the applicant that disclosure of the applicant's address threatens the safety of the applicant or the applicant's children or the minor or incapacitated person on whose behalf the application is made.

4.3. An applicant shall specify a residential or mailing address in West Virginia for which confidentiality is requested and a telephone number where the applicant may be contacted by the Office of the Secretary of State.

4.4. The application form shall include, but not be limited to, the applicant's name and date of birth, a listing of all minor children residing with the applicant, including each minor child's date of birth, and each minor child's relationship to the applicant, a statement that the applicant shall not disclose her or his residential or mailing address to the alleged batterer, stalker, or person threatening her or his safety or that of her or his minor children, the application preparation date, the printed name and signature and recommendation of the application assistant.

4.5. Acceptance into the program shall be effective on the day an applicant is certified by the program manager.

4.6. An individual who is certified as a program participant shall be issued a program participant's authorization card which includes her or his name, authorization code, designated address and certification expiration date.

4.7. The term of a program participant's certification shall be four years unless the certification is withdrawn or canceled pursuant to W.Va. Code § 48-28A-104.

4.8. If there is a change in the program participant's residential or mailing address from the one listed on the application, the program participant shall notify the program manager in writing of such change within 10 days of the change in residence.

§153-37-5. Exercise of Program Participant's Privileges.

5.1. A program participant shall request, at the time of creation of a new record, that an agency use the designated address assigned by the Secretary of State as her or his residential or mailing address.

5.2. A program participant shall show her or his authorization card to the agency official creating a new record and request address confidentiality through use of the designated address in lieu of her or his residential or mailing address. The designated address shall appear on the program participant's authorization card.

5.3. Agency personnel may make a file photocopy of the authorization card and shall immediately return the authorization card to the program participant.

5.4. An agency shall accept the designated address. However, an agency may obtain the program participant's residential or mailing address pursuant to Section 10 of this rule.

5.5. An agency shall not question the program participant about the details or circumstances of her or his inclusion in the program. Rather, the agency shall accept the determination made by the Secretary of State that she or he is a qualified program participant.

§153-37-6. Program Participant Renewal.

6.1. A program participant may renew her or his program participation by filing a reapplication form accompanied by the printed name, signature and recommendation of the application assistant. The Secretary of State shall send a reapplication form to the program participant at least four weeks before the expiration of the current authorization.

6.2. The Secretary of State may certify a program participant, who has filed a reapplication form, to participate in the program for an additional four year term unless the certification is withdrawn or canceled before that date.

6.3. Upon renewal, the program manager shall issue to the program participant a new authorization card which includes the program participant's name, authorization code, designated mailing address and certification expiration date.

6.4. Upon receipt of the renewed authorization card, the participant shall return his or her expired authorization card to the Secretary of State to be destroyed.

§153-37-7. Cancellation of Program Certification.

7.1. Program certification shall be canceled if any of the following occur:

7.1.a. The program participant fails to notify the program manager in writing of a change in the program participant's residential or mailing address or a change in the program participant's name within 10 days;

7.1.b. Any one of the cancellation conditions provided for by W.Va. Code § 48-28A-103(f); or,

7.1.c. The program participant discloses her or his residential or mailing address to the alleged batterer, stalker, or person threatening her or his safety or that of her or his minor children.

7.2. If certification for the program is canceled, the program manager will notify the program participant of the cancellation by mail addressed to the participant's last known residential or mailing address.

7.3. Upon cancellation of program certification, the program participant shall return the authorization card to the Secretary of State.

§153-37-8. Withdrawal and Expiration.

8.1. A program participant may withdraw from program participation by submitting to the Secretary of State written notification of withdrawal and her or his current authorization card. Certification shall be terminated on the date of receipt of this notification.

8.2. If the program participant verbally requests withdrawal from the program, but does not return her or his current authorization card, the Secretary of State may, at her or his discretion, cancel program participation based solely on the verbal request. However, before cancellation is effective based on a verbal request, the program manager shall send, via certified mail return receipt requested, written notification to the program participant stating that the verbal request has been received and that the program participant has thirty (30) days from receipt of the letter to inform the program manager that she or he objects to the cancellation.

8.3. A program participant's certification shall expire if the program participant's

certification term has lapsed and certification has not been renewed.

8.4. The Secretary of State shall send written notification of the expiration to the participant's last known mailing or residential address. The program participant shall have ten business days in which to appeal the expiration under procedures developed by the Secretary of State.

§153-37-9. Disclosure to Law Enforcement.

9.1. A law enforcement agency requesting a program participant's residential or mailing address must provide the request to the Secretary of State, in the following manner:

9.1.a. The request shall be submitted in writing by the county prosecutor or the United States Attorney having the appropriate jurisdiction for the requesting law enforcement agency.

9.1.b. The request shall be on the letterhead of the county prosecutor or the United States Attorney, shall state the reason the address is required by that law enforcement officer or agency and shall state the identification of the individuals who will have access to the record.

9.2. Once a properly submitted request is received, the program manager shall provide the county prosecutor or United States Attorney with the program participant's address and document the program participant's file with the request from law enforcement.

§153-37-10. Agency Disclosure Request.

10.1. An agency requesting a disclosure of the program participant's residential or

mailing address under W.Va. Code § 48-28A-106(a)(2), must provide in writing to the Secretary of State:

10.1.a. Identification of the statute or administrative rule which demonstrates the agency's bona fide requirement and authority for the use of the residential address of an individual;

10.1.b. Identification and description of the specific record or record series for which the disclosure is requested; and

10.1.c. Identification of the individuals who will have access to the record.

10.2. The Secretary of State shall review an agency's request for a disclosure.

10.3. During the review and evaluation or reconsideration of an agency's disclosure request, the agency shall accept the use of a program participant's designated address.

10.4. The Secretary of State's determination to grant or deny a disclosure request shall be based on, but not limited to, an evaluation of the information provided by the agency in conformance with the statutory standard of a bona fide statutory or administrative requirement for the use of a program participant's residential address.

10.5. If the Secretary of State determines that an agency has a bona fide statutory or administrative requirement for the use of a program participant's residential or mailing address information which will only be used for those statutory and administrative purposes, the Secretary may issue the granted disclosure in writing. When granting a disclosure request, the Secretary may include:

10.5.a. Any obligations for the agency to maintain the confidentiality of a program participant's residential or mailing address;

10.5.b. Any limitations on use and access to the residential or mailing address;

10.5.c. Any term during which the granted disclosure is authorized for the agency;

10.5.d. Any designation of the record format on which the residential or mailing address may be maintained;

10.5.e. A date by which an agency may no longer maintain a record of the residential or mailing address; and

10.5.f. Any other provisions and qualifications determined appropriate by the Secretary of State including addressing any particular provisions pertinent to the requesting agency.

10.5.g. If an agency request is based on the safety and welfare of a minor or a protected person, then the Secretary of State shall respond to such request in an expedited manner.

10.6. The Secretary of State's denial of an agency's disclosure request shall be made in writing and include a statement of the specific reasons therefore.

10.7. An agency may seek reconsideration of the denial of its request by resubmitting its written request within 60 days of the issuance of a denial. The request may be accompanied by additional information and an explanation of corrective action taken to alleviate concerns and considerations included in the Secretary of State's denial determination. Final

administrative determination shall be made by the Secretary of State.

§153-37-11. Service of Process.

11.1. The Secretary of State shall be an agent of the program participant upon whom any service of process, notice or demand may be served.

11.2. Service on the Secretary of State of any such service of process, notice or demand shall be made by mail or delivery to the Secretary of State at her or his office two copies of the process, notice or demand. If by mail, such service of process, notice or demand shall be made on the Secretary of State at her or his regular mailing address and not at the designated address of the program participant.

11.3. If such service of process, notice or demand is served on the Secretary of State on behalf of the program participant, the Secretary of State shall immediately forward, via certified mail return receipt requested, a copy to the program participant at the participant's residential or mailing address.

11.4. The Secretary of State shall maintain, in the program participant's file, a record of any service of process, notice or demand served upon the Secretary of State for that participant. The Secretary of State shall include in the file the date of such service and the Secretary of State's action.

11.5. Service or acceptance of process or notice is sufficient if return receipt is signed by the program participant, or if the registered or certified mail sent by the Secretary of State is refused by the program participant and the registered or certified mail is returned to the Secretary of State, or to her or his office, showing the stamp of the

United States Postal Service that delivery has been refused, and the return receipt or registered or certified mail is appended to the original process or notice and filed in the clerk's office of the court from which the process or notice was issued. The Secretary of State may redact the residential address from any document filed with the court unless otherwise ordered by the court.

§153-37-12. Protected Records Voter Registration.

12.1. A program participant shall have the opportunity to apply through the Secretary of State's office for a new voter's registration using her or his designated address and may cancel any previous registration.

12.2. The Secretary of State determines the correct precinct for the program participant and notifies the designated county contact.

12.3. The designated county contact will add the determined precinct to the critical precinct list and notify the program manager of any changes made to precincts maintained on the list.

12.4. The program manager will maintain a list of precincts and program participants' residential and mailing addresses.

§153-37-13. Maintaining Protected Records Voter Information.

13.1. The residential or mailing address for a protected records voter shall not be maintained on any voter registration data base and shall not be publicly accessible regardless of the type of records management system.

13.2. At least sixty days before every special, primary, or general election, the designated county contact shall review all critical precinct lists and update the appropriate voter records as necessary. Notification shall be sent to the affected program participant.

13.3. A program participant shall have the right to vote in the same manner as any other qualified voter within the state.

13.4. The designated county contact shall maintain a record of absentee ballots sent to protected records voters and a record of ballots returned.

§153-37-14. Undeliverable Ballot.

14.1. If any protected records voter's absentee ballot is declared undeliverable by the post office and returned to the Secretary of State, the program manager shall attempt to determine the cause of this occurrence and inform the designated county contact of any relevant information regarding the reason for the ballot's return.

§153-37-15. Election Contest Procedures.

15.1. If any post election challenges are brought pertaining to the outcome of any election and it becomes necessary to check the validity of all absentee ballots cast in the election by verifying the names and addresses of all voters casting absentee ballots, a protected records voter's ballot shall not be included in the review unless the county canvassing board determines that such a ballot would be determinative of the election outcome. When the county canvassing board has determined that review of a protected records voter's ballot is necessary, the designated county contact shall verify the protected records voter's

ballot, in executive session, using extreme caution to ensure continued confidentiality.

§153-37-16. Confidentiality.

16.1. All records pertaining to the program participant shall be kept confidential. A request to ascertain if an individual is a program participant shall be in writing and addressed to the program manager. Upon receipt of a written request, the program manager shall confirm, in writing within ten (10) days, whether or not an individual is a program participant, but the program manager shall not disclose any further information about the program participant. A copy of such written confirmation shall also be sent to the program participant.

§153-37-17. Mail Procedures.

17.1. The Secretary of State shall take reasonable precautions to ensure outgoing mail from the Secretary of State's office addressed to participants at their residential or mailing address remains secure and confidential.

17.2. In the event that a person is no longer a program participant for any reason, including but not limited to, cancellation, termination or expiration, the Secretary of State shall:

17.2.a. Notify the designated county contact and the Division of Motor Vehicles that the person is no longer a program participant and provide the person's last known residential and mailing address.

17.2.b. Return any mail received from an agency with a letter explaining the person is no longer a program participant and provide the person's last known residential and mailing address.

17.2.c. Return all other mail that is not sent from an agency with an indication on the envelope that the person can no longer receive mail at the designated address.

-----Original Message-----

From: Dee-Ann Burdette [mailto:daburdette@wvdhhr.org]

Sent: Friday, February 01, 2008 11:09 AM

To: Sarah Bailey

Subject: RE: Address Confidentiality Program

Hello, Sarah.

Do we address comments about the rules to you?

Section 153-37-12, rule 12.2 seems to contain a subject-verb disagreement. Should it read: "The Secretary of State determines the correct precinct for the program participant and notifies the designated county contact?"

Also, law enforcement is mentioned but not defined. Would it be helpful to specify law enforcement agencies?

Thanks for your help and the opportunity to comment on the rules.

This request for attorney advice and information from clients is subject to attorney/client privilege. The information contained in this electronic message is legally privileged and confidential under applicable law and is intended only for the use of the individual or entity named above. If the recipient of this message is not the above-named intended recipient, you are hereby notified that any dissemination copy or disclosure of this communication is strictly prohibited.

Men and Women Against Discrimination
P.O. Box 467
Scott Depot, WV 25560

January 9, 2008

Greg Howard
Office of Secretary of State
1900 Kanawha Boulevard East
Suite 157K
Charleston, WV 25560

RE: Public comment on Final Draft of ACP Rules

Please make the following comments a part of the permanent record on the final draft of the ACP rules as sent to our group via email on 12-21-2007 by the Secretary of State. Although the email states "Our staff has worked hard for almost 2 years to make this important law a reality for women and men and children all across our state." It has effectively eliminated the opportunity for men to participate in the protections designed under the program. It appears that the "Good ole girl" network has prevailed. The only applicant assistants to meet requirements under this program will be the same ones currently providing gender biased services to domestic violence "victims". It is a system that is currently fraught with false allegations supported by so called "advocates". They teach that men are responsible for domestic violence against women by using a Power and Control Wheel model to illustrate that in a Patriarchal society, men use violence to maintain power and control over women. When male victims like me attend events sponsored by the WVCADV or any of their affiliates we are bombarded by the Power and Control Wheel and even worse a movie called "The Field of Flowers", both of which subject a male victim to more victimization instead of providing the help we need and deserve.

Men can be and are the victims of domestic violence. In fact there are over 200 current studies that show that women initiate violence in intimate partner relationships as often as or more often than men. Please review attachment 1 enclosed which reviews 196 of those prepared by Martin S. Fiebert, Department of Psychology, California State University, Long Beach. A search of West Virginia Police Crime Statistics for 2006, the most recent year available, shows that 25% of the victims reported are male. That is an astonishingly high percentage considering the social stigma attached to a male who has been abused by a female and the fact that studies show that men are 4 times less likely to report actual domestic violence than women are. Add to that the fact that police are reluctant to file reports for male victims because they have been subjected to the same biased training that I was subjected to when attending events sponsored by the WVCADV.

Background on the establishment of the current system can be found on page 4 of enclosure 2. "The Family Protection Services Board was established by the passage of the Domestic Violence Act of 1989." According to this document the Board is funded through collection of fees on marriage and divorce filings in our state. The funds are administered

through a Special account by the DHHR, 95% of which is then funneled into domestic violence shelters in accordance with Section 48-26-402(12). The board is responsible for Licensure of Family Protection Programs, Perpetrator Intervention Programs, and Shelters under Title 191 Legislative Rule, Family Protection Services Board Series 1 Section 191-1-5 (see enclosure 3). The Family Protection Services Board consists of 5 members, the Governor with the advice and consent of the Senate, appoints 3 members of the Board. One member is a director of a domestic violence program, one is a member of the WVCADV and the final gubernatorial appointee is a member of the public. Appointed members serve a 3 year term and the other 2 members are the Secretary of DHHR, and the Chair of the Governor's Committee on Crime Delinquency and Correction or their designee (see page 5 of enclosure 2). The current list of board members includes all females (see enclosure 4).

To further illustrate the gender bias in the current system that will be perpetuated by the new proposed rules you must examine Title 191 Legislative Rule Family Protection Services Board, Series 2, 191-2-2(2.2) 'Certified Domestic Violence Advocate' means an advocate employed by a licensed family protection program who has been approved by the Board of Directors of the West Virginia Coalition Against Domestic Violence as meeting the eligibility standards outlined in the Coalition's Domestic Violence Advocate Certification Project (see enclosure 5). Then refer to enclosure 6, page 6, under the Code of Ethics item 1 states "Domestic Violence Advocates promote the safety and well-being of women and children who are victims of abusive relationships." Please note: they do not promote well-being of men who are victims of abusive relationships. You can easily see why no male would want to apply for protection with the help of these individuals.

191CRS2 spells out Additional Licensing Standards for Shelters in 191-2-4(4.11) it states, "A shelter shall have a written process for obtaining alternative lodging to house victims of domestic violence and their children when the residential facility is filled to capacity or is unable to accommodate special needs populations, including, but not limited to, victims who are: elderly, have disabilities, or who are adult and adolescent males." West Virginia Law has thereby established a separate and unequal clause for adult males and teenage boys some of which may be in the greatest need of help. Where will they go for help?

Sue Julian with the WVCADV stated in our meeting with you that she did not know how many males are employed by her group and said that she did not see why that was an issue. To the male victims it is a serious issue and they deserve quality services the same as females do. Check enclosure 7 for a list of Licensed Domestic Violence Programs and you will find all female contacts and no males listed. She also stated that the WVCADV statistics show that 15% of their services are provided to males. That statement is very misleading since those are almost all children of females who seek assistance and the children may not have been victims even if the mothers had been. Their own statistics show that for overnight stays they provided less than 1/2 of 1% of the overnight stays to adult males. In either case the male population is grossly underserved considering that West Virginia Police Crime Statistics show that 25% of all domestic violence victims are male.

Further evidence of misleading and biased policies and information by the current domestic violence establishment can be found in enclosure 8 on page 3 boxed out by a

bold line. When you read the paragraph outlined it leads you to believe that there were 44 women killed by men and boyfriends. First of all it is inaccurate and proves that they do not have their facts correct or that they are intentionally inflating the truth. I requested the actual figures from Lt. Jan Hudson of the West Virginia State Police who is responsible for the statistics reported by the agency. She provided me with actual data by sex, age and case number for each incident for the same year, 2006 shown in the YWCA pamphlet enclosure 8. A summary of the information provided by Lt. Hudson shows that in fact there were 36 domestic violence murders 18 of which were male victims and 18 of which were female victims. It paints quite a different picture than what the YWCA pamphlet leads one to believe. In fact 34% of the killers were female once again painting a much different picture than the Power and Control Wheel would indicate. Even more disturbing is that 3 out of the 4 children under the age of 18 that were killed died at the hands of a female.

If you really want to feel the sting of gender bias at one of the shelters as a male you do not have to go beyond the same YWCA who put out enclosure number 8. Try to join as a male member and ask to have voting rights. You will be told that you are not allowed to be a full member, that males can only be associate members without voting rights. Now this organization wants to be able to represent those who would seek protection under the ACP. It is unlikely that any male would ever approach a biased organization like the YWCA under the ACP and if they did it is highly difficult to believe that they would get the protection that they may need.

I believe that this information clearly shows that the system currently in place stacks the deck against any man trying to enter the ACP and the new rules as well as possibly the entire bill is fatally flawed.

Prior to the legislation being voted on in a special session we were prepared to introduce several amendments that would have made the ACP a non gender biased piece of legislation and in an effort to keep from delaying passage the Secretary of State with you in tow reviewed my proposed amendments and the Secretary assured me that those issues would be handled in the rules portion of the legislation. I had the amendments pulled at the last minute to allow the bill to move forward based on those assurances and at her request. The concerns are far from addressed with the rules and I believe they leave the Secretary of State with a potential legal challenge of the laws based on discrimination.

Sincerely,



Ron P. Foster

Region IV Coordinator

Cc: Governor Manchin

Tim Fittro

Speaker Richard Thompson

President Earl Ray Thomlin

House Majority Leader Joe DeLong

Members of the House and Senate

Members of the Media

(1)

REFERENCES EXAMINING ASSAULTS BY WOMEN ON THEIR SPOUSES OR MALE PARTNERS: AN ANNOTATED BIBLIOGRAPHY

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Last updated: January 2007

SUMMARY: This bibliography examines 196 scholarly investigations: 153 empirical studies and 43 reviews and/or analyses, which demonstrate that women are as physically aggressive, or more aggressive, than men in their relationships with their spouses or male partners. The aggregate sample size in the reviewed studies exceeds 177,100.

Aizenman, M., & Kelley, G. (1988). The incidence of violence and acquaintance rape in dating relationships among college men and women. *Journal of College Student Development*, 29, 305-311. (A sample of actively dating college students <204 women and 140 men> responded to a survey examining courtship violence. Authors report that there were no significant differences between the sexes in self reported perpetration of physical abuse.)

Archer, J. (2000). Sex differences in aggression between heterosexual partners: A meta-analytic review. *Psychological Bulletin*, 126, 651-680. (Meta-analyses of sex differences in physical aggression indicate that women were more likely than men to "use one or more acts of physical aggression and to use such acts more frequently." In terms of injuries, women were somewhat more likely to be injured, and analyses reveal that 62% of those injured were women.)

Archer, J. (2002). Sex differences in physically aggressive acts between heterosexual partners: A meta-analytic review. *Aggression and Violent Behavior*, 7, 213-351. (Analyzing responses to the Conflict Tactic Scale and using a data set somewhat different from the previous 2000 publication, the author reports that women are more likely than men to throw something at their partners, as well as slap, kick, bite, punch and hit with an object. Men were more likely than women to strangle, choke, or beat up their partners.)

Archer, J., & Ray, N. (1989). Dating violence in the United Kingdom: a preliminary study. *Aggressive Behavior*, 15, 337-343. (Twenty three dating couples completed the Conflict Tactics scale. Results indicate that women were significantly more likely than their male partners to express physical violence. Authors also report that, "measures of partner agreement were high" and that the correlation between past and present violence was low.)

Arias, I., Samios, M., & O'Leary, K. D. (1987). Prevalence and correlates of physical aggression during courtship. *Journal of Interpersonal Violence*, 2, 82-90. (Used Conflict Tactics Scale with a sample of 270 undergraduates <95 men, 175 women> and found 30% of men and 49% of women reported using some form of aggression in their dating histories with a greater percentage of women engaging in severe physical aggression.)

Arias, I., & Johnson, P. (1989). Evaluations of physical aggression among intimate dyads. *Journal of Interpersonal Violence*, 4, 298-307. (Used Conflict Tactics Scale-CTS- with a sample of 103 male and 99 female

Brinkerhoff, M., & Lupri, E. (1988). Interspousal violence. *Canadian Journal of Sociology*, 13, 407-434. (Examined Interspousal violence in a representative sample of 562 couples in Calgary, Canada. Used Conflict Tactics Scale and found twice as much wife-to-husband as husband-to-wife severe violence <10.7% vs 4.8%>. The overall violence rate for husbands was 10.3% while the overall violence rate for wives was 13.2%. Violence was significantly higher in younger and childless couples. Results suggest that male violence decreased with higher educational attainment, while female violence increased.)

Brown, G. (2004). Gender as a factor in the response of the law-enforcement system to violence against partners. *Sexuality and Culture*, 8, (3-4), 3-139. (Summarizes partner violence data from the 1999 Canadian General Social Survey <GSS>. The GSS is based on a representative sample of 25,876 persons. Overall in the 12-month period preceding the survey, an estimated 3% Canadian women and 2% of Canadian men reported experiencing violence from their partners. During the 5 year period from 1995-1999, an estimated 8% of Canadian women and 7% of Canadian men reported violence from their partners. Reviewed police and legal responses to partner violence in Edmonton, Canada and concludes that "... men who are involved in disputes with their partners, whether as alleged victims or as alleged offenders or both, are disadvantaged and treated less favorably than women by the law-enforcement system at almost every step.")

Brush, L. D. (1990). Violent Acts and injurious outcomes in married couples: Methodological issues in the National Survey of Families and Households. *Gender & Society*, 4, 56-67. (Used the Conflict Tactics scale in a large national survey, n=5,474, and found that women engage in same amount of spousal violence as men.)

Brutz, J., & Ingoldsby, B. B. (1984). Conflict resolution in Quaker families. *Journal of Marriage and the Family*, 46, 21-26. (Used Conflict Tactics Scale with a sample of 288 Quakers <130 men, 158 women> and found a slightly higher rate of female to male violence <15.2%> than male to female violence <14.6%>.)

Burke, P. J., Stets, J. E., & Pirog-Good, M. A. (1988). Gender identity, self-esteem, and physical and sexual abuse in dating relationships. *Social Psychology Quarterly*, 51, 272-285. (A sample of 505 college students <298 women, 207 men> completed the CTS. Authors reports that they found "no significant difference between men and women in reporting inflicting or sustaining physical abuse." Specifically, within a one year period they found that 14% of the men and 18% of the women reported inflicting physical abuse, while 10% of the men and 14% of the women reported sustaining physical abuse.)

Caetano, R., Schafer, J., Field, C., & Nelson, S. M. (2002). Agreement on reports of intimate partner violence among white, Black, and Hispanic couples in the United States. *Journal of Interpersonal Violence*, 17, 1308-1322. (A probability sample of 1635 couples was interviewed and assessed with the CTS. Agreement concerning intimate partner violence was about 40%, with no differences reported across ethnicities. Women significantly reported perpetrating more partner violence than men in all three ethnic groups.)

Callahan, M. R., Tolman, R. M., & Saunders, D. G. (2003). Adolescent dating violence victimization and psychological well-being. *Journal of Adolescent Research*, 18(6), 664-681. (Subjects were 190 high school students <53% male; 47% female; approximately 50% African-American> who completed a modified version of the CTS2. In terms of injuries, 22% of girls and 17% of boys reported being injured by their dating partners. Note this difference was nonsignificant.)

Capaldi, D. M. & Crosby, L. (1997). Observed and reported psychological and physical aggression in young, at-risk couples. *Social Development*, 6, 184-206. (A sample of 118 young men and their dating partners were surveyed regarding their own physical aggression as well as that of their partners. Findings reveal that 31% of men and 36% of women engaged "in an act of physical aggression against their current partner.")

Capaldi, D. M., Kim, H. K., & Shortt, J. W. (2004). Women's involvement in aggression in young adult romantic

Clark, M. L., Beckett, J., Wells, M., & Dungee-Anderson, D. (1994). Courtship Violence among African-American college students. *Journal of Black Psychology*, 20 (3), 264-281. (A sample of 311 African-American college students <76 men, 235 women> responded to the CTS. Findings reveal that 41% of men and 33% of women reported being physically abused by a dating partner.)

Claxton-Oldfield, S. & Arsenault, J. (1999). The initiation of physically aggressive behaviour by female university students toward their male partners: Prevalence and the reasons offered for such behaviors. Unpublished manuscript. (In a sample of 168 actively dating female undergraduates at a Canadian university, 26% indicated that they initiated physical aggression toward their male partners. Most common reason for such behavior was because partner was not listening to them.)

Cogan, R., & Ballinger III, B. C. (2006). Alcohol problems and the differentiation of partner, stranger, and general violence. *Journal of Interpersonal Violence*, 21 (7), 924-935. (A sample of 457 college men and 958 college women completed the CTS. Results revealed that significantly more men than women <35.4% vs 26.0%> reported being victimized by their partners.)

Coney, N. S., & Mackey, W. C. (1999). The feminization of domestic violence in America: The woosle effect goes beyond rhetoric. *Journal of Men's Studies*, 8 (1), 45-58. (Authors review the domestic violence literature and report that while society in general as well as the media portray women as "recipients of domestic violence...epidemiological surveys on the distribution of violent behavior between adult partners suggest gender parity.")

Cook, P. W. (1997). *Abused men. The hidden side of domestic violence*. Westport, CN.: Praeger. (Presents the evidence, empirical and personal, for male spousal victimization. Examines resistance to acceptance of findings and offers solutions to reduce domestic violence.)

Corry, C. E., Fiebert, M. S., & Pizzy, E. (2002). Controlling domestic violence against men. Available: www.familyrx.org/research/Control_DV_against_men.pdf Earlier version presented at Sixth International Conference on Family Violence, San Diego, CA. (A critical examination of men as victims of partner violence.)

Cui, M., Lorenz, F. O., Conger, R. D., Melby, J. N., & Bryant, C. M. (2005). Observer, Self-, and partner reports of hostile behaviors in romantic relationships. *Journal of Marriage and Family*, 67, 1169-1181. (Examined a sample of 236 young people <48% married, 52% dating; 56% women, 44% men> who completed questionnaires regarding their hostility toward their partners. Findings reveal that couples living together have higher levels of hostility than dating couples and that women in both conditions demonstrate higher levels of hostility towards their partners than men.)

Cunradi, C. B., Caetano, R., Clark, C. L., & Schafer, J. (1999). Alcohol-related problems and intimate partner violence among white, Black, and Hispanic couples in the U.S. *Alcoholism: Clinical and Experimental Research*, 23, 1492-1501. (A probability sample of 1440 couples <565 white, 358 Black, 527 Hispanic> was obtained from the 1995 National Alcohol Survey. Subjects completed the Conflict Tactics Scale. Ethnicity results reveal that overall rates of partner aggression were similar for whites and Hispanic while Black rates were significantly higher. In terms of gender, white men and women had similar rates of partner aggression, Hispanic women were somewhat more aggressive than Hispanic men and Black men were more aggressive than Black women. Alcohol related problems were a predictor of intimate partner violence in Black couples.)

Deal, J. E., & Wampler, K. S. (1986). Dating violence: The primacy of previous experience. *Journal of Social and Personal Relationships*, 3, 457-471. (Of 410 university students <295 women, 115 men> responding to CTS and other instruments, it was revealed that 47% experienced some violence in dating relationships. The majority of experiences were reciprocal. When not reciprocal men were three times more likely than women to report being

Farrell, W. (1999). Women can't hear what men don't say. New York: Tarcher/Putnam. See Chapter 6. (Pp. 123-162; 323-329.) (An excellent social and political analysis of couple violence.)

Feather, N. T. (1996). Domestic violence, gender and perceptions of justice. *Sex Roles*, 35, 507-519. (Subjects <109 men, 111 women> from Adelaide, South Australia, were presented a hypothetical scenario in which either a husband or wife perpetrated domestic violence. Participants were significantly more negative in their evaluation of the husband than the wife, were more sympathetic to the wife and believed that the husband deserved a harsher penalty for his behavior.)

Felson, R. B. (2002). *Violence and Gender Reexamined*. Washington, DC: American Psychological Association. (Scholarly review and analysis of the literature. Author concludes that, "Women are just as likely as men to be victims of violence from their partners. . . ." Also "casts doubt on the battered wife syndrome as an explanation for why women kill their male partners.")

Felson, R. B. (2006). Is violence against women about women or about violence? *Contexts*, 5, 21-25. (Reports that while men are eight times more likely to commit overall violence than women, there is gender parity in partner violence. Author suggests that violent men are "less likely to assault their partners because of the *chivalry norm*.")

Fergusson, D. M., Horwood, L. J., & Ridder, E. M. (2005). Partner violence and mental health outcomes in a New Zealand birth cohort. *Journal of Marriage and Family*, 67, 1103-1119. (Examined extent of domestic violence experience and perpetration in a sample of 828 <437 women, 391 men> young adults who were 25 years old. Subjects were part of a long term longitudinal study and were administered the CTS2. Results reveal that "there were more men exposed to severe domestic violence than women" and that mild and moderate rates were similar for men and women. Overall, 39.4% of women and 30.9% of men reported perpetration scores of 3 or higher. Authors report that men and women reported similar rates of injury <3.9% for women vs. 3.3% for men>. In terms of initiation of partner assaults, 34% of women and 12% of men reported initiating physical assaults.)

Fiebert, M. S., & Gonzalez, D. M. (1997). Women who initiate assaults: The reasons offered for such behavior. *Psychological Reports*, 80, 583-590. (A sample of 968 women, drawn primarily from college courses in the Southern California area, were surveyed regarding their initiation of physical assaults on their male partners. 29% of the women, n=285, revealed that they initiated assaults during the past five years. Women in their 20's were more likely to aggress than women aged 30 and above. In terms of reasons, women appear to aggress because they did not believe that their male victims would be injured or would retaliate. Women also claimed that they assaulted their male partners because they wished to engage their attention, particularly emotionally.)

Fiebert, M. S. (1996). College students' perception of men as victims of women's assaultive behavior. *Perceptual & Motor Skills*, 82, 49-50. (Three hundred seventy one college students <91 men, 280 women> were surveyed regarding their knowledge and acceptance of the research finding regarding female assaultive behavior. The majority of subjects (63%) were unaware of the finding that women assault men as frequently as men assault women; a slightly higher percentage of women than men (39% vs 32%) indicated an awareness of this finding. With regard to accepting the validity of these findings a majority of subjects (65%) endorsed such a result with a slightly higher percentage of men (70% vs 64%) indicating their acceptance of this finding.)

Flynn, C. P. (1990). Relationship violence by women: issues and implications. *Family Relations*, 36, 295-299. (A review/analysis article that states, "researchers consistently have found that men and women in relationships, both marital and premarital engage in comparable amounts of violence." Author also writes, "Violence by women in intimate relationships has received little attention from policy makers, the public, and until recently, researchers...battered men and abusive women have receive 'selective inattention' by both the media and researchers.")

which examined their past history and their rationales for initiating aggression with male partners. Subjects also responded to 8 conflict scenarios which provided information regarding possible reasons for the initiation of aggression. Results indicate that 55% of the subjects admitted to initiating physical aggression toward their male partners at some point in their lives. The most common reason was that aggression was a spontaneous reaction to frustration).

Goodyear-Smith, F. A. & Laidlaw, T. M. (1999). Aggressive acts and assaults in intimate relationships: Towards an understanding of the literature. *Behavioral Sciences and the Law*, 17, 285-304. (An up to date scholarly analysis of couple violence. Authors report that, "...studies clearly demonstrate that within the general population, women initiate and use violent behaviors against their partners at least as often as men.")

Graham-Kevan, N., & Archer, J. (July, 2005). Using Johnson's domestic violence typology to classify men and women in a non-selected sample. Paper presented at the 9th Annual Family Violence Research Conference, Portsmouth, NH. (A total of 1339 subjects, students and staff from the University of Central Lancashire, responded to a modified version of the CTS. Authors report that, "the proportion of women and men using any act of physical aggression towards their partners was as follows: from self-reports 29% for women and 17% for men, and from partner reports 31% of women and 22% for men.")

Grandin, E. & Lupri, E. (1997). Intimate violence in Canada and the United States: A cross-national comparison. *Journal of Family Violence*, 12 (4), 417-443. (Authors examine data from the 1985 U.S. National Family Violence Resurvey and the 1986 Canadian National Family Life Survey. Report that "although the United States exhibits significantly higher rates of societal violence crime than Canada, Canadian women and men were more likely than their American counterparts to use severe and minor intimate violence." This finding is counter to the "culture of violence theory." Moreover, in both cultures the rates of violence of wives to husbands were higher than husbands to wives. Specifically, the overall violence index for men in America was 10.6 and in Canada it was 18.3; while the overall violence index for women in America was 12.2 and in Canada it was 25.3.)

Gray, H. M. & Foshee, V. (1997). Adolescent dating violence. *Journal of Interpersonal Violence*, 12, 126-142. (A sample of 185 adolescents responded to a questionnaire about dating violence; 77 students reported being involved in physical violence in their current or most recent dating relationship. Mutual violence was present in 66% of cases; while 26% of males and 8% of females reported being victims of violence and 29% of females and 4% of males reported being sole perpetrators of violence.)

Gryl, F. E., Stith, S. M., & Bird, G. W. (1991). Close dating relationships among college students: differences by use of violence and by gender. *Journal of Social and Personal Relationships*, 8, 243-264. (A sample of 280 first year college students <156 women, 124 men> at a mid-Atlantic university completed the violence sub-scale of the Conflict Tactics Scale. Results reveal that almost 30% of the females and 23% of males reported that they had been violent in the current relationship. Also almost 28% of women and 39% of men reported sustaining violence in their current relationship.)

Hamel, J. (2005). *Gender Inclusive Treatment of Intimate Partner Abuse*. New York: Springer. (Reviews the "most reliable and empirically sound research" and concludes that "men and women physically and emotionally abuse each other at equal rates. . ." Offers a comprehensive gender inclusive treatment approach to domestic violence.)

Hampton, R. L., Gelles, R. J., & Harrop, J. W. (1989). Is violence in families increasing? A comparison of 1975 and 1985 National Survey rates. *Journal of Marriage and the Family*, 51, 969-980. (Compared a sample of 147 African Americans from the 1975 National Survey with 576 African Americans from the 1985 National Survey with regard to spousal violence. Using the CTS found that the rate of overall violence (169/1000) of husbands to wives remained the same from 1975 to 1985, while the rate of overall violence for wives to husbands increased

Controversial New Topic of Study. Violence and Victims, 20 (2), 251-259. (Examines the changing zeitgeist, methodological issues, and research findings regarding female perpetrated violence.)

Jackson, S. M., Cram, F. & Seymour, F. W. (2000). Violence and sexual coercion in high school students' dating relationships. *Journal of Family Violence*, 15, 23-36. (In a New Zealand sample of senior high school students <200 women, 173 men> 21% of women and 19% of men reported having been physically hurt by their heterosexual dating partner.)

Jenkins, S. S., & Aube, J. (2002). Gender differences and gender-related constructs in dating aggression. *Personality and Social Psychology Bulletin*, 28, 1106-1118. (Used the CTS with a university sample of 85 dating couples. Authors report that, "women in existing college dating relationships are more aggressive than men.")

Jezl, D. R., Molidor, C. E., & Wright, T. L. (1996). Physical, sexual, and psychological abuse in high school dating relationships: Prevalence rates and self-esteem issues. *Child and Adolescent Social Work Journal*, 13 (1), 69-87. (Examined an ethnically diverse sample of currently dating subjects <114 male, 118 female> who responded to a modified version of the Conflict Tactics Scale. Results indicate that 50.9% of subjects <63% of males and 39% of females> reported being victims of moderately abusive behaviors such as "being kicked, slapped, having your hair pulled, and being intentionally scratched.")

Jouriles, E. N., & O'leary, K. D. (1985). Interpersonal reliability of reports of marital violence. *Journal of Consulting and Clinical Psychology*, 53, 419-421. (Used the Conflict Tactics Scale with a sample of 65 couples in marriage therapy and 37 couples from the community. Found moderate levels of agreement of abuse between partners and similar rates of reported violence between partners.)

Kalmuss, D. (1984). The intergenerational transmission of marital aggression. *Journal of Marriage and the Family*, 46, 11-19. (In a representative sample of 2,143 adults found that the rate of husband to wife severe aggression is 3.8% while the rate of wife to husband severe aggression is 4.6%.)

Katz, J., Kuffel, S. W., & Coblenz, A. (2002). Are there gender differences in sustaining dating violence? An examination of frequency, severity, and relationship satisfaction. *Journal of Family Violence*, 17, 247-271. (Authors report two studies where dating men and women experienced violence at comparable levels, "although men experienced more frequent moderate violence." In the first study n=286, <183 women, 103 men> 55% of women had nonviolent partners, while 50% of men had nonviolent partners; in the second study n=123 <78 women, 45 men> 73% of women had nonviolent partners, while 58% of men had nonviolent partners.)

Kaura, S. A. & Allan, C. M. (2004). Dissatisfaction with relationship power and dating violence perpetration by men and women. *Journal of Interpersonal Violence*, 19, 576-588. (A university sample of 352 men and 296 women completed the revised Conflict Tactics Scale. Authors report, "Surprisingly, significantly more dating violence perpetration is reported by women than by men.")

Kelly, L. (2003). Disabusing the definition of domestic abuse: how women batter men and the role of the feminist state. *Florida State Law Review*, 30, 791-855. (A scholarly examination of the issue of male victimization which is critical of feminist perspectives.)

Kim, K., & Cho, Y. (1992). Epidemiological survey of spousal abuse in Korea. In E. C. Viano (Ed.) *Intimate Violence: Interdisciplinary Perspectives*. (pp. 277-282). Bristol, PA: Taylor and Francis. (Utilized the Conflict Tactics scale in interviews with a random sample of 1,316 married Koreans <707 women, 609 men>. Compared to findings with American couples, results indicate that Korean men were victimized by their wives twice as much as American men, while Korean women were victimized by their spouses three times as much as American women.)

female assaults. Includes an original questionnaire to test assumption that women who lack social support to combat stress are likely to commit domestic violence.)

Lo, W. A., & Sporakowski, M. J. (1989). The continuation of violent dating relationships among college students. *Journal of College Student Development*, 30, 432-439. (A sample of 422 college students completed the Conflict Tactics Scale. Found that, "women were more likely than men to claim themselves as abusers and were less likely to claim themselves as victims.")

Lottes, I. L., & Weinberg, M. S. (1996). Sexual coercion among university students: a comparison of the United States and Sweden. *Journal of Sex Research*, 34, 67-76. (A sample of 507 Swedish students <211 men, 359 women> and 407 U.S. students <129 men, 278 women> responded to items on the CTS. Results reveal that 31% of U.S. men compared to 18% of Swedish men reported being victims of physical violence by female partners during the previous 12 months. While 31% of U.S. women compared to 19% of Swedish women reported being victims of physical violence by male partners during the previous 12 months.)

Macchietto, J. (1992). Aspects of male victimization and female aggression: Implications for counseling men. *Journal of Mental Health Counseling*, 14, 375-392. (Article reviews literature on male victimization and female aggression.)

Magdol, L., Moffitt, T. E., Caspi, A., Fagan, J., Newman, D. L., & Silva, P. A. (1997). Gender differences in partner violence in a birth cohort of 21 year Olds: bridging the gap between clinical and epidemiological approaches. *Journal of Consulting and Clinical Psychology*, 65, 68-78. (Used CTS with a sample of 861 21 year Olds <436 men, 425 women> in New Zealand. Physical violence perpetration was reported during the previous 12 months by 37.2% of women and 21.8% of men, with severe violence perpetration by women at 18.6% and men at 5.7%.)

Makepeace, J. M. (1986). Gender differences in courtship violence victimization. *Family Relations*, 35, 383-388. (A sample of 2,338 students <1,059 men, 1,279 women> from seven colleges were surveyed regarding their experience of dating violence. Courtship violence was experienced by 16.7 % of respondents. Authors report that "rates of commission of acts and initiation of violence were similar across gender." In term of injury, both men (98%) and women (92%) reported "none or mild" effects of violence.)

Malik, S., Sorenson, S. B., & Aneshensel, C. S. (1997). *Journal of Adolescent Health*, 21, 291-302. (A sample of 707 high school students <281 boys, 426 girls> responded to the CTS. Results reveal that girls were almost 3 times more likely than boys to perpetrate dating violence. In terms of ethnicity African-Americans had the highest level of dating violence, followed by Latinos, whites, and Asian Americans.)

Malone, J., Tyree, A., & O'Leary, K. D. (1989). Generalization and containment: Different effects of past aggression for wives and husbands. *Journal of Marriage and the Family*, 51, 687-697. (In a sample of 328 couples it was found that men and women engaged in similar amounts of physical aggression within their families of origin and against their spouses. However, results indicate that women were more aggressive to their partners than men. Aggression was more predictable for women, i.e., if women observed parental aggression or hit siblings they were more likely to be violent with their spouses.)

Margolin, G. (1987). The multiple forms of aggressiveness between marital partners: how do we identify them? *Journal of Marital and Family Therapy*, 13, 77-84. (A paid volunteer sample of 103 couples completed the Conflict Tactics Scale. It was found that husbands and wives perpetrated similar amounts of violence. Specifically, the incidence of violence, as reported by either spouse was: husband to wife =39; wife to husband =41.)

Marshall, L. L., & Rose, P. (1987). Gender, stress and violence in the adult relationships of a sample of college

McNeely, R. L., & Mann, C. R. (1990). Domestic violence is a human issue. *Journal of Interpersonal Violence*, 5, 129-132. (A review article which discusses the findings that women are more prone than men to engage in severely violent acts and that "classifying spousal violence as a women's issue rather than a human issue is erroneous.")

McNeely, R. L., & Robinson-Simpson, G. (1987). The truth about domestic violence: A falsely framed issue. *Social Work*, 32, 485-490. (A review article which concludes that women are as violent as men in domestic relationships.)

Mechem, C. C., Shofer, F. S., Reinhard, S. S., Hornig, S., & Datner, E. (1999). History of domestic violence among male patients presenting to an urban emergency department. *Academic Emergency Medicine*, 6, 786-791. (Data was collected over a 13 week period at an emergency clinic in Philadelphia which focused on injuries to male patients. Results revealed that 12.6% of 866 men were victims of domestic violence. Authors cite published findings that 14.4% of women treated in Emergency departments had been physically or sexually abused by an intimate partner. Compared to non-victims, victims were more likely to be single <52%>, younger <7.5 yrs> and African-American <61%>. In terms of assaults, 48% of men reported being kicked, bitten, choked or punched by a female partner, while 37% of men reported having a weapon used against them.)

Mercy, J. A., & Saltzman, L. E. (1989). Fatal violence among spouses in the United States, 1975-85. *American Journal of Public Health*, 79, 595-599. (Examined FBI figures regarding spousal homicides. During the 10 year period from 1975 to 1985 found higher murder rates of wives than husbands <43.4% vs 56.6%>. Black husbands were at the greatest risk of victimization. Spousal homicide among blacks was 8.4 times higher than that of whites. Spouse homicide rates were 7.7 times higher in interracial marriages and the risk of victimization for both whites and blacks increased as age differences between spouses increased. Wives and husbands were equally likely to be killed by firearms <approximately 72% of the time> while husbands were more likely to be stabbed and wives more likely to bludgeoned to death. Arguments apparently escalated to murder in 67% of spouse homicides.)

Meredith, W. H., Abbot, D. A., & Adams, S. L. (1986). Family violence in relation to marital and parental satisfaction and family strengths. *Journal of Family Violence*, 1, 299-305. (Authors report that 6% of men and 5% of women in Nebraska indicated that they used severe violence at least once in the previous year.)

Merrill, L. L., King, L. K., Milner, J. S., Newell, C. E., & Koss, M. P. (1998). Premilitary intimate partner conflict resolution in a Navy basic trainee sample. *Military Psychology*, 10, 1-15. (A sample of 2,987,1560 women, 1,427 men> Navy basic trainees responded to the CTS. More men <43.3%> than women <40.3%> reported receiving physical violence from an intimate partner, and more women <46.9%> than men <31.9%> reported at least one instance of inflicting physical violence on an intimate partner.)

Migliaccio, T. A. (2002). Abused husbands: A Narrative analysis. *Journal of Family Issues*, 23, 26-52. (Narratives of 12 abused men are examined. Study finds that the accounts of battered men and women follow similar patterns, "including the structure of the relationships, acceptance of the abuse, and the social context of the situation.")

Mihalic, S. W., & Elliot, D. (1997). A social learning theory model of marital violence. *Journal of Family Violence*, 12, 21-46. (Based on data from the National Youth Survey <see Morse, 1995> a social learning model of marital violence for men and women was tested. For men ethnicity, prior victimization, stress and marital satisfaction predicted both perpetration and experience of minor violence. With regard to serious violence ethnicity, prior victimization, marital satisfaction predicted men's experience of marital violence, while ethnicity, class and sex role attitudes predicted the perpetration of male marital violence. For women the most important predictor of the experience of both minor and serious marital violence was marital satisfaction, class was also a predictor. With regard to female perpetrators of marital violence the witnessing of parental violence was an

mother beat their father, 18% saw or heard female relatives beating their husbands, and 26% saw or heard female neighbors beating their husbands.)

Niaz, U., Hassan, S., & Tariq, Q. (2002). Psychological consequences of intimate partner violence: forms of domestic abuse in both genders. *Pakistan Journal of Medical Science*, 18 (3), 205-214. (A sample of 140 <70 men, 70 women> outpatient psychiatric patients in Pakistan were assessed with the Karachi Domestic Violence Screening Scale. Findings reveal that 19 men <27%> and 30 women <43%> reported being victims of physical abuse in their domestic relationships.)

Nicholls, T. L. & Dutton, D. G. (2001). Abuse committed by women against male intimates. *Journal of Couples Therapy*, 10 (1), 41-57. (A comprehensive review of the literature which concludes that "men are as likely as women to be victims of intimate assaults.")

Nisonoff, L. & Bitman, I. (1979). Spouse abuse: Incidence and relationship to selected demographic variables. *Victimology*, 4, 131-140. (In a sample of 297 telephone survey respondents <112 men, 185 women> found that 15.5% of men and 11.3% of women report having hit their spouse, while 18.6% of men and 12.7% of women report having been hit by their spouse.)

O'Keefe, M. (1997). Predictors of dating violence among high school students. *Journal of Interpersonal Violence*, 12, 546-568. (Surveyed 939 students <385 boys, 554 girls> ranging in age from 14-20. Sample was ethnically diverse: 53% Latino, 20% White, 13% African-American, 6.7% Asian American, and 7% "other." A modified version of the violence subscale of the Conflict Tactics Scale was used to assess dating violence. Results reveal that 43% of females and 39% of males reported that they perpetrated some form of physical aggression on their dating partners.)

O'Keefe, N. K., Brockopp, K., & Chew, E. (1986). Teen dating violence. *Social Work*, 31, 465-468. (Surveyed 256 high school students from Sacramento, CA., 135 girls, 121 boys, with the CTS. Ninety percent of students were juniors or seniors, the majority came from middle class homes, 94% were average or better students, and 65% were white and 35% were black, Hispanic or Asian. Found that 11.9% of girls compared to 7.4% of boys admitted to being sole perpetrators of physical violence. 17.8% of girls and 11.6% of boys admitted that they were both "victims and perpetrators" of physical violence.)

O'Leary, K. D., Barling, J., Arias, I., Rosenbaum, A., Malone, J., & Tyree, A. (1989). Prevalence and stability of physical aggression between spouses: A longitudinal analysis. *Journal of Consulting and Clinical Psychology*, 57, 263-268. (272 couples were assessed regarding physical aggression. More women reported physically aggressing against their partners at premarriage <44% vs 31%> and 18 months of marriage <36% vs 27%>. At 30 months there was a nonsignificant but higher rate for women <32% vs 25%>.)

Pedersen, P. & Thomas, C. D. (1992). Prevalence and correlates of dating violence in a Canadian University sample. *Canadian Journal of Behavioural Science*, 24, 490-501. (A sample of 166 undergraduates <116 women, 50 men> responded to the CTS; 45.8% of subjects reported experiencing physical violence in their current or most recent dating relationship. Of this total, 44.8% of women and 48% of men reported being physically aggressed upon by their partners. It was also found that only 22% of men and 40.5% of women reported using physical aggression against a dating partner.)

Plass, M. S., & Gessner, J. C. (1983). Violence in courtship relations: a southern sample. *Free Inquiry in Creative Sociology*, 11, 198-202. (In an opportunity sample of 195 high school and college students from a large southern city, researchers used the Conflict Tactics scale to examine courtship violence. Overall, results reveal that women were significantly more likely than men to be aggressors. Specifically, in committed relationships, women were three times as likely as men to slap their partners, and to kick, bit or hit with the fist seven times as often as

expression of physical violence.)

Saenger, G. (1963). Male and female relations in the American comic strip. In D. M. White & R. H. Abel (Eds.), *The funnies, an American idiom* (pp. 219-231). Glencoe, NY: The Free Press. (Twenty consecutive editions of all comic strips in nine New York City newspapers in October, 1950 were examined. Results reveal that husbands were victims of aggression in 63% of conflict situations while wives were victims in 39% of situations. In addition, wives were more aggressive in 73% of domestic situations, in 10% of situations, husbands and wives were equally aggressive and in only 17% of situations were husbands more violent than wives.)

Sarantakos, S. (2004). Deconstructing self-defense in wife-to-husband violence. *Journal of Men's Studies*, 12 (3), 277-296. (Members of 68 families with violent wives in Australia were studied. In 78% of cases wives' violence was reported to be moderate to severe and in 38% of cases husbands needed medical attention. Using information from husbands, wives, children and wives' mothers study provides compelling data challenging self defense as a motive for female-to-male violence.)

Schafer, J., Caetano, R., & Clark, C. L. (1998). Rates of intimate partner violence in the United States. *American journal of Public Health*, 88, 1702-1704. (Used modified CTS and examined reports of partner violence in a representative sample of 1635 married and cohabiting couples. Both partners reports were used to estimate the following lower and upper bound rates: 5.21% and 13.61% for male to female violence, and 6.22% and 18.21 % for female to male violence.)

Sharpe, D., & Taylor, J. K. (1999). An examination of variables from a social-developmental model to explain physical and psychological dating violence. *Canadian Journal of Behavioural Science*, 31:3, 165-175. (Canadian college students <110 men, 225 women> were surveyed with the Conflict Tactics Scale regarding dating violence. Results reveal that 38% of men and 27% of women report receiving physical violence from their partners. Twice as many women compared to men reported inflicting violence without receiving physical violence from dating partners.)

Shook, N. J., Gerrity, D. A., Jurich, J. & Segrist, A. E. (2000). Courtship violence among college students: A comparison of verbally and physically abusive couples. *Journal of Family Violence*, 15, 1-22. (A modified Conflict Tactics Scale was administered to 572 college students <395 women; 177 men>. Results reveal that significantly more women than men, 23.5% vs 13.0%, admitted using physical force against a dating partner.)

Sigelman, C. K., Berry, C. J., & Wiles, K. A. (1984). Violence in college students' dating relationships. *Journal of Applied Social Psychology*, 5, 530-548. (Surveyed 504 college students <116 men, 388 women> with the Conflict Tactics Scale and found that men and women were similar in the overall amount of violence they expressed but that men reported experiencing significantly more violence than women.)

Simonelli, C. J. & Ingram, K. M. (1998). Psychological distress among men experiencing physical and emotional abuse in heterosexual dating relationships. *Journal of Interpersonal Violence*, 13, 667-681. (Responses from 70 male undergraduates to the CTS and a Psychological Maltreatment Inventory revealed that 40% reported being the target of some form of physical aggression from their female dating partners while only 23% reported expressing physical aggression to their partners. Men who were victims of emotional and physical abuse also reported greater levels of distress and depression.)

Simonelli, C. J., Mullis, T., Elliot, A. N., & Pierce, T. W. (2002). Abuse by siblings and subsequent experiences of violence within the dating relationship. *Journal of Interpersonal Violence*, 17, 103-121. (A sample of 120 undergraduates <61 men, 59 women> completed the CTS. Ten percent of men and 33% of women reported that they perpetrated at least one type of physical aggressive behavior against their dating partner and 18% of men and 15% of women reported receiving physical aggression from their dating partner.)

Steinmetz, S. K. (1980). Women and violence: victims and perpetrators. *American Journal of Psychotherapy*, 34, 334-350. (Examines the apparent contradiction in women's role as victim and perpetrator in domestic violence.)

Steinmetz, S. K. (1981). A cross cultural comparison of marital abuse. *Journal of Sociology and Social Welfare*, 8, 404-414. (Using a modified version of the CTS, examined marital violence in small samples from six societies: Finland, United States, Canada, Puerto Rico, Belize, and Israel <total n=630>. Found that "in each society the percentage of husbands who used violence was similar to the percentage of violent wives." The major exception was Puerto Rico where men were more violent. Author also reports that, "Wives who used violence... tended to use greater amounts.")

Stets, J. E. & Henderson, D. A. (1991). Contextual factors surrounding conflict resolution while dating: results from a national study. *Family Relations*, 40, 29-40. (Drawn from a random national telephone survey, daters <n=277; men=149, women=128> between the ages of 18 and 30, who were single, never married and in a relationship during the past year which lasted at least two months with at least six dates were examined with the Conflict Tactics Scale. Findings reveal that over 30% of subjects used physical aggression in their relationships, with 22% of the men and 40% of the women reported using some form of physical aggression. Women were "6 times more likely than men to use severe aggression <19.2% vs. 3.4%>...Men were twice as likely as women to report receiving severe aggression <15.7% vs. 8%>." Also found that younger subjects and those of lower socioeconomic status <SES> were more likely to use physical aggression.)

Stets, J. E., & Pirog-Good, M. A. (1987). Violence in dating relationships. *Social Psychology Quarterly*, 50, 237-246. (Examined a college sample of 505 white students. Found that men and women were similar in both their use and reception of violence. Jealousy was a factor in explaining dating violence for women.)

Stets, J. E. & Pirog-Good, M. A. (1989). Patterns of physical and sexual abuse for men and women in dating relationships: A descriptive analysis. *Journal of Family Violence*, 4, 63-76. (Examined a sample of 287 college students <118 men and 169 women> and found similar rates for men and women of low level physical abuse in dating relationships. More women than men were pushed or shoved <24% vs 10%> while more men than women were slapped <12% vs 8%>. In term of unwanted sexual contact 22% of men and 36% of women reported such behavior. The most frequent category for both men <18%> and women <19%> was the item, "against my will my partner initiated necking".)

Stets, J. E., & Straus, M. A. (1990). Gender differences in reporting marital violence and its medical and psychological consequences. In M. A. Straus & R. J. Gelles (Eds.), *Physical violence in American families: Risk factors and adaptations to violence in 8,145 families* (pp. 151-166). New Brunswick, NJ: Transaction. (Reports information regarding the initiation of violence. In a sample of 297 men and 428 women, men said they struck the first blow in 43.7% of cases, and their partner hit first in 44.1% of cases and could not disentangle who hit first in remaining 12.2%. Women report hitting first in 52.7% of cases, their partners in 42.6% and could not disentangle who hit first in remaining 4.7%. Authors conclude that violence by women is not primarily defensive.)

Straus, M. (1980). Victims and aggressors in marital violence. *American Behavioral Scientist*, 23, 681-704. (Reviews data from the 1975 National Survey. Examined a subsample of 325 violent couples and found that in 49.5% of cases both husbands and wives committed at least one violent act, while husbands alone were violent in 27.7% of the cases and wives alone were violent in 22.7% of the cases. Found that 148 violent husbands had an average number of 7.1 aggressive acts per year while the 177 violent wives averaged 6.8 aggressive acts per year.)

Straus, M. A. (1995). Trends in cultural norms and rates of partner violence: An update to 1992. In S. M. Stich & M. A. Straus (Eds.) *Understanding partner violence: Prevalence, causes, consequences, and solutions* (pp. 30-33). Minneapolis, MN: National Council on Family Relations. (Reports finding that while the approval of a husband slapping his wife declined dramatically from 1968 to 1994 <21% to 10%> the approval of a wife slapping

Straus, M. A., & Kaufman Kantor, G. (1994, July). Change in spouse assault rates from 1975-1992: A comparison of three national surveys in the United States. Paper presented at the Thirteenth World Congress of Sociology, Bielefeld, Germany. (Reports that the trend of decreasing severe assaults by husbands found in the National Survey from 1975 to 1985 has continued in the 1992 survey while wives maintained higher rates of assault.)

Straus, M. A., Kaufman Kantor, G., & Moore, D. W. (1994, August). Change in cultural norms approving marital violence from 1968 to 1994. Paper presented at the American Sociological Association, Los Angeles, CA. (Compared surveys conducted in 1968 <n=1,176>, 1985 <n=6,002>, 1992 <n=1,970>, and 1994 <n=524>, with regard to the approval of facial slapping by a spouse. Approval of slapping by husbands decreased from 21% in 1968 to 13% in 1985, to 12% in 1992, to 10% in 1994. The approval of slapping by wives was 22% in 1968 and has not declined over the years.)

Straus, M. A., & Medeiros, R. A. (2002, November). Gender differences in risk factors for physical violence between dating partners by university students. Paper presented at annual meeting of the American Society for Criminology, Chicago, Illinois. (A sample of 232 men and 334 women responded to revised CTS. Results indicate that for minor violence the rates for both men and women are 22% and for severe violence rates are 10% for men and 11% for women.)

Straus, M. A., & Mouradian, V. E. (1999, November). Preliminary psychometric data for the Personal Relationships Profile (PRP): A multi-scale tool for clinical screening and research on partner violence. Paper presented at the annual meeting of the American Society of Criminology, Toronto, Canada. (In a study of 1,034 dating couples at two US universities, injury rates based on responses to the revised CTS (CTS2) revealed that 9.9% of men and 9.4% of women report being injured by the opposite sex. In terms of inflicting injuries, 10.1% men and 8.0% women indicated that they inflicted injuries on their partners.)

Straus, M. A., & Ramirez, I. L. (2002, July). Gender symmetry in prevalence, severity, and chronicity of physical aggression against dating partners by university students in Mexico and USA. Paper presented at the XV World Meeting of the International Society for Research on Aggression, Montreal, Canada. Available at: <http://pubpages.unh.edu/~mas2/>. (Reports findings from four samples of university students in Juarez, Mexico, El Paso and Lubbock, Texas, and New Hampshire. Subjects (N=1,554) responded to the revised Conflict Tactics Scale. Results indicate that there were no significant differences between males and females in either the overall prevalence of physical aggression or the prevalence of severe attacks. However, when only one partner was violent it was twice as likely to be the female than the male <19.0% vs 9.8%>. Moreover, in terms of severe aggression females were twice as likely to be violent than men <29.8% vs 13.7%>).

Sugarman, D. B., & Hotaling, G. T. (1989). Dating violence: Prevalence, context, and risk markers. In M. A. Pirog-Good & J. E. Stets (Eds.) *Violence in dating relationships: Emerging social issues* (pp.3-32). New York: Praeger. (Reviewed 21 studies of dating behavior and found that women reported having expressed violence at higher rates than men--329 per 1000 vs 393 per 1000.)

Szinovacz, M. E. (1983). Using couple data as a methodological tool: The case of marital violence. *Journal of Marriage and the Family*, 45, 633-644. (Used Conflict Tactics Scale with 103 couples and found that the wives' rates of physical aggression was somewhat higher than husbands'.)

Tang, C. S. (1994). Prevalence of spouse aggression in Hong Kong. *Journal of Family Violence*, 9, 347-356. (Subjects were 382 undergraduates <246 women, 136 men> at the Chinese University in Hong Kong. The CTS was used to assess students' evaluation of their parents responses during family conflict. 14% of students reported that their parents engaged in physical violence. "Mothers were as likely as fathers to use actual physical force toward their spouses.")

analysis. *Psychology of Women Quarterly*, 18, 487-508. (A review and analysis which acknowledges that "women equal or exceed men in number of reported aggressive acts committed within the family." Examines a variety of explanations to account for such aggression.)

White, J. W., & Koss, M. P. (1991). Courtship violence: Incidence in a national sample of higher education students. *Violence and Victims*, 6, 247-256. (In a representative sample of 2,603 women and 2,105 men it was found that 37% of the men and 35% of women inflicted some form of physical aggression, while 39% of the men and 32% of the women received some form of physical aggression.)

Williams, S. L., & Frieze, I. H. (2005). Patterns of violent relationships, psychological distress, and marital satisfaction in a national sample of men and women. *Sex Roles*, 52 (11/12), 771-784. (Data from a National Comorbidity Survey was examined. In a sample of 3,519 men and women it was found that 18.4% were involved in violent relationships. Most violence, both mild and severe, was mutual. However, women were more likely than men to initiate both mild and severe violence.)

Wilson, M. L. & Dabot, M. (1992). Who kills whom in spouse killings? On the exceptional sex ratio of spousal homicides in the United States. *Criminology*, 30, 189-215. (Authors summarize research which indicates that between 1976 and 1985, for every 100 men who killed their wives, about 75 women killed their husbands. Authors report original data from a number of cities, e.g., Chicago, Detroit, Houston, where the ratio of wives as perpetrators exceeds that of husbands.)

Portions of this paper were presented at the American Psychological Society Convention in Washington, D.C. May 24, 1997.

Earlier versions of this paper appeared in *Sexuality and Culture*, 1997, 1, 273-286, and *Sexuality and Culture*, 2004, 8, (No. 3-4), 140-177.

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FAMILY PROTECTION

COMMUNITY DEVELOPMENT



ANNUAL REPORT FY 2004

STATE OF ALABAMA
BOARD OF ALTERNATIVE DISPUTE RESOLUTION



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STATE OF WEST VIRGINIA
FAMILY PROTECTION SERVICES BOARD
BOB WISE, GOVERNOR

The Honorable Bob Wise, Governor
State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Wise:

The Family Protection Services Board is pleased to share with you a report of activities for the 2004 fiscal year.

The Family Protection Services Board is a group of committed citizens appointed by the governor of the state of West Virginia. Its mission is to assure that programs working toward the elimination of domestic violence are adequately funded and provide quality services to victims.

We look to the Governor, the Legislature and other concerned citizens to work cooperatively with the Board to continue to seek funding and to work toward legislation which aids victims/survivors of domestic violence and their children, and promotes a violence-free West Virginia.

Sincerely,



Judy King Smith
Chair



PURPOSE OF THE BOARD

The five-member *Family Protection Services Board* is appointed by the governor of the state of West Virginia. The mission of the *Family Protection Services Board* is to assure that programs working toward the elimination of domestic violence are adequately funded and provide quality services to victims.

The purposes of the Board are to provide ongoing administration and allocation of the *West Virginia Family Protection Funds*; to establish and enforce a system of standards for the annual licensure of domestic violence programs and perpetrator intervention programs, and certification of monitored parenting and exchange programs; to research and study issues pertinent to programs for victims of domestic violence and report the results to the Governor and the Legislature.

BACKGROUND

The *Family Protection Services Board* was established by the passage of the Domestic Violence Act of 1989. This Act institutes the licensure of all domestic violence programs in the state, establishes the membership and duties of the Board and provides directives for the allocation of funds collected through fees on marriages and divorces in West Virginia.

Funds collected through the marriage/divorce fees are placed in a Special Revenue Account which is administered through the Department of Health and Human Resources.



FAMILY PROTECTION SERVICES BOARD

The *Family Protection Services Board* consists of five members. The Governor, with the advice and consent of the Senate, appoints three members of the Board. One member is a director of a domestic violence program. One member is a member of the West Virginia Coalition Against Domestic Violence which represents domestic violence programs across the state. The final gubernatorial appointee is a member of the public.

Appointed members serve three-year terms. The other two members are the Secretary of the Department of Health and Human Resources, or his or her designee and Chair of the Governor's Committee on Crime, Delinquency and Correction, or his or her designee.

Chairperson: Judy King Smith
Rape and Domestic Violence
Information Center
P.O. Box 4228
Morgantown, WV 26505
Telephone: (304) 292-5100

Vice-Chair: Emily Hepta
(Delegated by Paul Nusbaum,
Secretary of the West Virginia
Department of Health & Human
Resources)
State Capitol Complex
Building 3, Room 206
Charleston, WV 25305
Telephone: (304) 558-1027

Secretary: Judi Ball
Family Crisis Intervention Center
P.O. Box 695
Parkersburg, WV 26102
Telephone: (304) 428-2333

Member: Toni Thomas/
Lora Maynard
(Delegated by
Sheriff William R. Laird, IV, Chair of
the Governor's Committee on Crime,
Delinquency & Correction)
Division of Criminal Justice Services
1204 Kanawha Boulevard, East
Charleston, WV 25301
Telephone: (304) 558-8814, Ext. 216

Member: Barbara Hawkins
E-3 Woodcrest Addition
Princeton, WV 24740
Telephone: (304) 435-0385



CRIMINAL JUSTICE

As described in §48-26-401, §48-26-404 and §48-26-1005 of the West Virginia Code, also known as the Domestic Violence Act, it is the duty of the *Family Protection Services Board* to:

- ✦ Regulate its procedural practice.
- ✦ Facilitate the formation and operation of domestic violence programs.
- ✦ Receive and consider applications for the development of domestic violence programs, perpetrator intervention programs and monitored parenting and exchange programs.
- ✦ Promulgate rules and regulations to implement provisions of Article 26, Chapter 48 of the WV Code and any applicable federal guidelines.
- ✦ Advise the Secretary of the Department of Health and Human Resources on matters of concern relative to his or her responsibilities under Article 26, Chapter 48 of the WV Code.
- ✦ Study issues pertinent to programs for domestic violence victims and report the results to the Governor and the Legislature.
- ✦ Conduct hearings as necessary under Article 26, Chapter 48 of the WV Code.
- ✦ Delegate to the Secretary of DHHR the powers and duties of the board as the Board deems necessary, including, but not limited to, the authority to approve, disapprove, revoke or suspend licenses.
- ✦ Deliver funds to licensed programs.
- ✦ Establish a system of peer review for domestic violence programs and perpetrator intervention programs which will ensure the safety, well-being and health of the clients of all licensed programs operating in the state.
- ✦ Evaluate annually each funded program to determine its compliance with the goals and objectives set out in its original application for funding or subsequent revisions.
- ✦ To award domestic violence programs, for each fiscal year, ninety-five percent of the total funds collected and paid during the fiscal year to a special revenue account and to expend a sum not in excess of five percent of funds for administration costs.
- ✦ Establish and enforce standards for annual licensure for all domestic violence programs and perpetrator intervention programs in the state.
- ✦ Establish and enforce standards for certification of monitored parenting and exchange programs.
- ✦ Review rules and regulations biannually.

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**TITLE 191
LEGISLATIVE RULE
FAMILY PROTECTION SERVICES BOARD**

**SERIES 1
OPERATION OF THE FAMILY PROTECTION SERVICES BOARD**

§191-1-1. General.

1.1. Scope -- This rule establishes the operating procedures of the Family Protection Services Board.

1.2. Authority -- W. Va. Code §§48-26-401(4), 48-26-404, 48-26-1003(a).

1.3. Filing Date -- June 23, 2003.

1.4. Effective Date -- August 11, 2003.

§191-1-2. Purposes of the Board.

2.1. The purposes of the Board are to provide ongoing administration and allocation of the West Virginia Family Protection Funds; to establish and enforce a system of standards for the annual licensure of domestic violence programs and perpetrator intervention programs; to establish and enforce a system of standards for the annual certification monitored parenting and exchange centers; to research and study issues pertinent to programs for victims of domestic violence and report the results to the Governor and the Legislature.

2.2. The Board will operate according to the following:

2.2.a. The Board will meet at least three times each calendar year in the first, second and last quarters. The exact dates, locations and subjects of regular meetings will be established with sufficient lead time for public announcement of meetings. Special and emergency meetings may be called at the discretion of the chair as frequently as necessary to assure the integrity of the Board's funding and licensure responsibilities. Emergency meetings may be called at the discretion of the chair when circumstances arise regarding licensure or the funding of a domestic violence program.

2.2.b. All meetings will be publicly announced in accordance with W. Va. Code §6-9A-3 with notice to the Secretary of State's Office. That notice shall include the time, place and purpose of the meeting. The Board shall, in accordance with state law, hold open meetings except when an executive session is necessary for the discussion of sensitive issues regarding the issuance, denial, suspension or revocation of a license and Board personnel. This exception will be effective only with a consensus of the Board members present. An open meeting regarding the issuance, denial, suspension or revocation of a license may be held at the request of the agency whose license is in question. If an emergency session is necessary, the Board shall file a notice any time prior to the meeting. Such notice shall state the time, place and purpose of the meeting and the facts and circumstances of the emergency.

2.2.c. Meetings may be held with a quorum of three Board members present.

2.2.d. Officers will include a chair, a vice-chair, and a secretary/treasurer who will be selected on an annual basis. The selection process will be held during the second quarter meeting. Terms of office will begin on July 1 of each year and will end the following June 30. Selection shall be made by a majority of the constituent membership.

2.2.e. Only the chair or the vice-chair may conduct meetings of the Board.

2.2.f. The chair will have the following responsibilities and duties. (1) call and conduct all meetings; (2) plan agendas for meetings; (3) speak as the official voice of the Board with media, the W. Va. Legislature, the West Virginia Coalition Against Domestic Violence, the programs licensed and funded by the Board, the

Attorney General's Office, the general public, and with all organizations inquiring about licensure and funding; and (4) supervise the duties of the staff of the Board.

2.2.g. The vice-chair will assume any or all of the responsibilities and duties of the chair in the chair's absence.

2.2.h. The Board shall hire or contract staff to complete the Board's work as necessary. Funds will be allocated for this purpose from the five percent (5%) of funds allowed by law for the cost of administering provisions of §48-26-401(12).

2.2.i. Expenses incurred by Board members while pursuing the work of the Board shall be reimbursed by the funds designated for administrative activities. Board members shall, at all times, comply with the most current State of West Virginia travel regulations. The Board shall supply its members and staff with appropriate forms to request reimbursement. The ex-officio members of the Board who serve by virtue of their positions shall request reimbursement for expenses through their employing agency or appointing committee.

2.2.j. The Board shall advise the Secretary of the Department of Human Services on matters of concern relative to his or her responsibilities under W. Va. Code §§48-26-101 et seq. and the Board shall delegate to the commissioner such powers and duties of the Board as the Board may deem appropriate to delegate, including, but not limited to, the authority to approve, disapprove, revoke or suspend licenses.

§191-1-3. Definitions

For purposes of these rules, the following definitions shall apply:

3.1. "Board" means the Family Protection Services Board created pursuant to W. Va. Code §48-26-301.

3.2. "Custodial parent" means a biological parent, adoptive parent, legal guardian, state agency and its representatives who has

temporary or permanent legal custody of a child.

3.3. "Custodial responsibility" refers to physical custodianship and supervision of a child. It may include residential or overnight responsibility.

3.4. "Department" means the Department of Health and Human Resources or any successor agency however so named.

3.5. "Family Protection Program" means a licensed domestic or family violence program offered by a locally controlled non-profit organization created primarily for the purpose of providing services, including residential shelters and outreach services, to victims of domestic violence or abuse and their children.

3.6. "Monitored exchange" means the supervision of movement of a child from the custodial to the noncustodial parent at the start of the visit and back to the custodial parent at the end of the visit. This type of monitored contact is for those cases in which contact causes conflict between the adults but the contact between the parent and child could be expected to proceed without incident.

3.7. "Monitored parenting" means the contact between a non-custodial parent and one or more children in the presence of a third person responsible for observing and ensuring the safety of those involved.

3.8. "Noncustodial parent" means a biological parent or other adult authorized by a court to have supervised contact with a child

3.9. "Outreach Service" means a service formally associated with a licensed family protection program and established for the purposes of providing direct services, community education and prevention activities, information, referral, safety planning and crisis counseling to victims of domestic violence.

3.10. "Participant" means the custodial parent, the noncustodial parent, or the child receiving monitored contact.

3.11. "Partner Agencies" means state and

community organizations whose mission and purpose require their response to the needs of victims of domestic violence and their children.

3.12. "Perpetrator Intervention Program" means a licensed perpetrator intervention program that accepts perpetrators of domestic violence or family violence into educational intervention groups.

3.13. "Secretary" means the Secretary of the Department of Health and Human Resources.

3.14. "Shelter" means a locally controlled non-profit organization created primarily for the purpose of receiving, on a temporary basis, individuals who are victims of domestic violence, abuse or rape and their children and for providing services to these individuals as specified in Series 2 of the Board's rules.

3.15. "Supervised visitation" means the provision of therapeutic evaluation and/or intervention to help improve the parent-child interactions. Supervised visitation may only be provided by order of a court and only by trained certified or licensed mental health professionals or social workers.

§191-1-4. Board Reports

The Board shall study issues pertinent to family protection programs for domestic violence victims and prepare an annual report to the governor and the Legislature within the first 20 days of the Legislative session regarding those issues.

§191-1-5. Licensure of Family Protection Programs, Perpetrator Intervention Programs, and Shelters.

All family protection, perpetrator intervention programs and shelters must be licensed by the Board in order to provide services to victims and/or perpetrators. The Board shall enforce standards and a process for the annual licensure for all family protection and perpetrator intervention programs and shelters in the state.

5.1. License Application

5.1.a. The Board shall provide a standard license application to any organization that wishes to establish a family protection or perpetrator intervention programs and/or shelter upon request. The organization must complete an application when it initially requests licensure or when it wishes to reopen after closure. After initial licensure, family protection and perpetrator intervention programs and shelters shall be evaluated by the Board on an annual basis, and an on-site review will be conducted every two years.

5.1.b. The Board shall consider all applications submitted for licensure in light of the need for services, the ability of the applicant to successfully operate a family protection, perpetrator intervention program, or a shelter, the applicant's ability to obtain adequate funding for the delivery of services, the capacity of the program to comply with the Board's standards, and the applicant's interest and ability to provide quality services.

5.1.c. If the Board finds that an application contains deficiencies, the application and a list of deficiencies will be returned to the applicant, and the applicant will have thirty (30) days to resubmit a revised application.

5.1.d. The Board shall renew, on an annual basis, the licenses of all family protection and perpetrator intervention programs and shelters that are in compliance with this rule and with Series 2 or 3 of the Board's rules. Forms for license renewal shall be distributed by the Board to licensed family protection, and perpetrator intervention programs, and shelters in a timely manner no later than the fifteenth day of March each year.

5.1.e. The Board shall, by certified letter, notify any organization operating without a license as a family protection, perpetrator intervention program or a shelter of its right to apply for licensure. The Board shall petition the circuit court for an order preventing the operation of any organization which refuses to obtain a license as required under this rule and W. Va. Code §§48-26-101 et seq.

5.2. Issuance of A License

5.2.a. The Board shall issue a license to any organization which has applied for a license and been approved by the Board as having complied with all established standards set forth in this rule and in Series 2 or 3 of the Board's rules. Compliance with the standards shall be evaluated by peer reviewers, by Board members, by Board staff, or by any a combination thereof as determined by the Board.

5.2.b. All licenses shall be valid for one (1) year commencing on the first day of July and terminating on the thirtieth day of June of the next year. The Board shall grant or deny license within forty-five (45) days of receiving the license application. Every licensed family protection, perpetrator intervention program and shelter shall conspicuously display the license.

5.3. Evaluation for Licensure

5.3.a. The Board shall annually evaluate all family protection, perpetrator intervention programs, and shelters operating in the state and will review all programs and shelters on-site a minimum of once every two years. The evaluation will be conducted using the licensing standards found in Series 2 and 3 of the Board's rules.

5.3.b. The Board shall annually assure an on-site review of the established standards found in this rule for at least one-half of all licensed programs. Review of the remaining programs shall be determined by the Board. The standards compliance review will be completed utilizing the most current revision of the standards checklist authorized by the Board. The annual evaluation will be scheduled in a timely manner by the Board to allow the Board to consider the results prior to the expiration of the current year's license.

5.3.c. Any areas of non-compliance shall be reported on the licensing checklist by the person(s) authorized by the Board to conduct the review. The Board shall review each area of non-compliance and consider the relative risk it poses to the health, safety and well-being of

individuals being served by the family protection, perpetrator intervention program or shelter and staff employed by the program or shelter.

5.3.d. The Board may contact the program's or shelter's partner agencies to determine program effectiveness in relationship to community needs.

5.4. Waiver of Licensure.

The Board may grant a waiver of licensure if the Board finds it necessary for the good of victims or perpetrators who would be served by the family protection, perpetrator intervention program or shelter in question. The Board shall review all waivers semi-annually.

5.5. Issuance of a Provisional License.

5.5.a. The Board may grant provisional licensure if the Board finds it necessary for the good of participants who will be served by the family protection, perpetrator intervention program, or shelter in question. All provisional certifications shall be reviewed semi-annually.

5.5.b. Upon a finding by the Board that a family protection, perpetrator intervention program, or shelter is not in compliance with this rule, the Board may issue a provisional license and shall give the family protection, perpetrator intervention program or shelter written notice of deficiency that shall include, but not be limited to the following:

5.5.b.1. A statement of program deficiencies.

5.5.b.2. A requirement to submit a plan of correction regarding the deficiencies.

5.5.b.3. A timeline for the Board's review of the plan of correction.

5.5.b.4. A requirement that the plan be modified and resubmitted to the Board within twenty (20) days should the original plan not address the identified deficiencies.

5.5.b.5. A requirement that

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compliance occur within a time period set by the Board.

5.5.b.6. Verification of the issuance of a provisional license until compliance is achieved or until the Board takes action deemed necessary for the safety of the clients.

5.6. Revocation or Suspension of a License.

The Board may suspend or revoke a license and, in connection therewith close any family protection, perpetrator intervention program or shelter that violates the standards established under Series 2 and 3 of the Board's rules, subject to the requirements in this rule regarding public hearings under subdivision d of this subsection.

5.6.a. Four members of the Board must vote in the affirmative before a license may be revoked or suspended.

5.6.b. When there is an immediate threat to the health, well-being and safety of shelter residents, or an unplanned closure by the family protection program's or shelter's governing board, the Board shall place the residents and/or participants in other family protection programs or shelters, or some other appropriate safe and secure place.

5.6.c. The Board shall send written notice of the license revocation or suspension by certified mail to the president of the family protection, perpetrator intervention program's or shelter's governing board. The notice shall include a statement of the program's or shelter's alleged violations of this rule. The program's or shelter's board of directors will have fifteen (15) days after receipt of the notice, to respond to the allegations. This response shall be in writing. If there is no written response, the Board will proceed with the revocation or suspension of the program's or shelter's license. The Board will not provide funds to a family protection, perpetrator intervention program or shelter whose license has been revoked or suspended.

5.6.d. If the Board is provided with a response to the violations, a public hearing will be held within thirty (30) days in the

municipality or county in which the program is located.

5.7. Receivership of Program.

The Board may place a family protection, perpetrator intervention program or shelter under receivership when the health, well being and/or safety of its clients are threatened. The Board shall oversee the operation of the program to preserve the services for clients. The Board shall have access to and may use all assets of the program. After placing a family protection, perpetrator intervention program or shelter into receivership and prior to the closing of a program, the Board shall send written notice of the intent to place a family protection program into receivership by certified mail to the president of the family protection, perpetrator intervention program's or shelter's board of directors.

5.7.a. The Board shall provide for and hold a public hearing in the municipality or county in which the program is located prior to the closure of a program by a program into receivership, subject to the requirements of section 5.6.d of this rule.

5.7.b. The Board shall provide the governing body and/or legal counsel of the program or shelter notice of hearing time, date and location at least ten (10) days prior to the hearing date. The Board shall also provide notice of the hearing to the Secretary of State in compliance with W. Va. Code §§6-9A et seq. The Board shall provide notice of the hearing through a local newspaper's legal notice section at least ten (10) days prior to the hearing date. The hearing will be held in accordance with W. Va. Code §§29A-5 et seq.

5.7.c. The Board chair shall conduct the hearing, and s/he shall have full authority to call recesses, to remove individuals exhibiting inappropriate behavior from the hearing, and to call for an executive session of the Board, if necessary, in accordance with the provisions of W. Va. Code §§6-9A-1 et seq. Four (4) members must be present to hear the violations and the program's response.

§191-1-6. Certification of Monitored Parenting and Exchange Programs.

6.1. The Board shall oversee a process for the certification of all monitored parenting and exchange programs in the state. The purpose of certification is to assure the safety and welfare of the children, adults and program staff during supervised contact. Once safety is assured, the welfare of the child(ren) is the paramount consideration at all stages. Nothing in these rules shall preclude a monitored parenting and exchange program from offering both monitored parenting and exchange services and supervised services.

6.2. Application for Certification

6.2.a. All monitored parenting and exchange programs that represent themselves as certified for monitored contact shall be certified by the Board.

6.2.b. The Board will provide a standard application form for certification of monitored parenting and exchange programs upon request. An organization shall complete an application when it initially requests certification or when it wishes to reopen after closure. After initial certification, monitored parenting and exchange programs will be evaluated by the Board on an annual basis.

6.2.c. The Board shall consider all applications submitted for certification of a monitored parenting and exchange program in light of the need for services, the ability of the applicant to successfully operate a program, the applicant's ability to obtain adequate funding for the delivery of services, and the applicant's interest and ability to provide quality services.

6.2.d. If the Board finds that an application contains deficiencies, the application and a list of deficiencies will be returned to the applicant, and the applicant will have thirty (30) days to resubmit a revised application.

6.2.e. The Board shall, on an annual basis, renew the certification of all monitored parenting and exchange programs that are in compliance with this rule and with Series 4 of

the Board's rules. The Board shall distribute forms for certification renewal to certified monitored parenting and exchange programs no later than the fifteenth day of March each year. All certifications will be valid for one (1) year commencing on the first day of July and terminating on the thirtieth day of June of the next year. The Board shall grant or deny any certification application within forty-five (45) days of receiving the application. Every certified monitored parenting and exchange programs shall conspicuously display the certification.

6.2.f. The Board shall notify, by certified letter, any organization operating a program without certification as a monitored parenting and exchange program of its right to apply for certification.

6.3. Evaluation for Certification

6.3.a. The Board shall annually evaluate all certified monitored parenting and exchange programs operating in the state. The evaluation shall be conducted using the certification standards found in Series 4 of the Board's rule.

6.3.b. The Board shall review each area of non-compliance and consider the relative risk it poses to the health, safety and well-being of individuals being served by the monitored parenting and exchange program and of staff employed by that program.

6.3.c. The Board shall determine whether trained staff from a certified monitored parenting and exchange program, a member of the Board, or staff of the Board shall conduct the evaluation.

6.4. Award of Certification.

The Board shall award certification annually to any organization which has applied for certification and been approved by the Board as having complied with all established standards set forth in this rule and in Series 4 of the Board's rules. Compliance with the standards will be evaluated by peer reviewers, by Board members, by Board staff, or any combination thereof as determined by the Board.

6.5. Waiver of Licensure. The Board may grant a waiver of certification if the Board finds it necessary for the good of participants who would be served by the monitored parenting and exchange program in question. The Board shall review all such waivers semi-annually.

6.6. Provisional Certification.

6.6.a. The Board may grant provisional certification if the Board finds it necessary for the good of participants who will be served by the monitored parenting and exchange program in question. All provisional certifications shall be reviewed semi-annually.

6.6.b. Upon a finding by the Board that a monitored parenting and exchange program is not in compliance with Series 4 of the Board's rules, the Board may issue a provisional certification and shall give the program written notice of deficiency that shall include, but not be limited to, the following:

6.5.b.1. A statement of program deficiencies.

6.5.b.2. A requirement to submit a plan of correction regarding the deficiencies.

6.5.b.3. A timeline for the Board's review of the plan of correction.

6.5.b.4. A requirement that compliance occur within a time period set by the Board.

6.5.b.5. Verification of the issuance of provisional certification until compliance is achieved or until the Board takes action deemed necessary for the safety of participants.

6.6. Revocation or Suspension of Certification.

6.6.a. The Board may revoke or suspend certification of any monitored parenting and exchange program that violates the provisions of this rule or Series 4 of the Board's rules, subject to paragraph 3 of this subdivision regarding public hearings. Four (4) members of

the Board must vote in the affirmative before certification may be revoked or suspended.

6.6.a.1. The Board shall send written notice of the revocation or suspension by certified mail to the president of the monitored parenting and exchange program's governing board. The notice shall contain a statement of the alleged violations of the Board's rules.

6.6.a.2. The Board shall permit the program's board of directors fifteen (15) days from date of receipt of the notice to respond in writing to the alleged violations. If there is no written response, the Board will proceed with the revocation or suspension of the monitored parenting and exchange program's certification.

6.6.a.3. If the Board is provided with a response to the violations, a public hearing will be held in the municipality or county in which the program is located within thirty (30) days of receipt of the response.

6.6.b. The Board shall provide for and hold a public hearing in the municipality or county in which the program is located prior to the closure of a program through the revocation or suspension of the certification.

6.6.b.1. The Board shall provide notice of hearing time, date and location to the governing body or legal counsel of the program at least ten (10) days prior to the hearing date. The Board shall provide notice of the hearing to the Secretary of State in compliance with W. Va. Code §§6-9A et seq. The Board shall also give local public notice by advertisement in a local newspaper's legal notice section at least ten (10) days prior to the hearing date.

6.6.b.2. The hearing shall be conducted by the Board chair, and he or she shall have full authority to call recesses, to remove persons exhibiting inappropriate behavior from the hearing, and to call for an executive session of the Board if necessary. Four (4) members shall be present to hear the violations and the program's response.

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**TITLE 191
LEGISLATIVE RULE
FAMILY PROTECTION SERVICES BOARD**

**SERIES 2
FAMILY PROTECTION PROGRAMS, OUTREACH SERVICE
AND SHELTER LICENSURE**

§191-2-1. General.

1.1. Scope -- This rule establishes general standards and procedures for the licensure of family protection programs as specified in W. Va. Code §48-26-401. The West Virginia Code is available in public libraries and on the Legislature's web page at <http://www.legis.state.wv.us/>.

1.2. Authority -- W. Va. Code §§48-26-401(4) and 48-26-402.

1.3. Filing Date -- June 23, 2003.

1.4. Effective Date -- August 11, 2003.

§191-2-2. Definitions

For purposes of these rules, the following definitions shall apply:

2.1. "Advocacy" means assisting victims of domestic and family violence in obtaining support and assistance in securing rights, remedies, and services from criminal justice and other public agencies. These services include but are not limited to: filing temporary restraining orders, providing court accompaniment, assisting with financial, medical, and housing needs.

2.2. "Certified Domestic Violence Advocate" means an advocate employed by a licensed family protection program who has been approved by the Board of Directors of West Virginia Coalition Against Domestic Violence as meeting the eligibility standards outlined in the Coalition's Domestic Violence Advocate Certification Project.

2.3. "Crisis Counseling" means supportive intervention services provided by licensed

family protection programs and shelters. The services include but are not limited to assisting victims of domestic violence in identifying and assessing their situation and accessing resources for resolution.

2.4. "Direct Services" means acts of assistance provided directly to victims including, but not limited to, emergency shelter, crisis counseling, and safety planning.

2.5. "Safety Planning" means a process where victims of domestic violence are assisted in identifying specific actions that help them maximize their safety.

§191-2-3. Licensing Standards for Family Protection Programs.

3.1. Family protection program requirements:

3.1.a. A family protection program shall have a mission statement specifying its purposes and program orientation. The statement shall identify the types of services provided and the individuals to be served by the program. The mission statement shall be available to the public on request.

3.1.b. A family protection program shall have a written policy stating that victims have the right to make their own decisions, to retain the responsibility of their children, and to be free from violent behavior.

3.1.c. A family protection program shall have and enforce a written policy that preserves the individual's right of confidentiality and complies with all federal and state privacy laws.

3.1.d. A family protection program shall require that all cases involving child abuse,

child sexual abuse, and child abandonment be reported to the local Department of Health and Human Services, Child Protective Services Unit or to the statewide abuse hotline.

3.1.e. Family protection program staff shall demonstrate knowledge of the Prevention of Domestic Violence Law, W. Va. Code §§48-26-101 et seq., and provide that information to those individuals to whom it applies.

3.1.f. A family protection program shall, at a minimum, provide the following services:

3.1.f.1. Case management;

3.1.f.2. Advocacy;

3.1.f.3. Information and referral to other community resources; and

3.1.f.4. Counseling, which may be provided within the program or arranged with other community agencies.

3.1.g. A family protection program shall ensure that all purchase of client service agreements are in writing. Those agreements shall contain all terms and conditions required to define the individuals to be served, the services to be provided, the procedures for payment and the payment amount.

3.1.h. A family protection program shall maintain copies of all leases into which it has entered. These leases shall state the location of the property involved, the monthly or annual rent, and the ownership of the property, the useable square footage and the term of the lease.

3.1.i. A family protection program shall carry adequate fire and liability insurance covering any individuals in its residential facility. In addition, the family protection program shall have insurance which covers liability to third parties or individuals in residence arising from the use of any vehicle, whether owned or not owned by the facility, used by any of the program's staff or agents on program business.

3.1.j. A family protection program shall have a written description of its referral process, admission policies, exit interview process, and follow-up procedures for residential clients.

3.1.k. A family protection program shall employ staff or utilize volunteers to cover the following areas: administration and supervision of the program; program direction to provide overall development; coordination of personnel and facilities; volunteer activities; case supervision; direct resident services; case management; record keeping; and community education activities.

3.1.l. A family protection program shall make available and display the address and telephone number of the Domestic Violence Services Complaint Toll Free Number at all locations.

3.2. Board of Directors.

3.2.a. A family protection program shall be governed by a board of directors which shall be responsible for and have authority over the policies and activities of the program, and which is broadly representative of the community served.

3.2.b. The board of directors shall adopt, and review on a bi-annual basis, written by-laws and policies that define the powers and duties of the governing body, its committees, the executive director(s), and advisory group, where one exists. Copies of the articles of incorporation and the by-laws shall be maintained by the board of directors.

3.2.c. The board of directors shall be responsible for ensuring the program's continual compliance and conformity with:

3.2.c.1. Provisions of the program's charter;

3.2.c.2. All federal, state and local laws, rules and regulations governing the operation of the program; and

3.2.c.3. Terms of all leases, contracts, or other legal agreements to which the

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program is a party.

3.2.d. The board of directors will require the program director to submit a written programmatic and financial report at each board meeting.

3.2.e. Every member of the board of directors shall disclose in writing any financial transactions with the program involving the member or her or his immediate family. The board of directors must approve any contract or transaction of disclosure where financial interests of this nature have been made.

3.2.f. The board of directors shall designate an individual(s) to act as program director and shall delegate the necessary authority to such person(s) to manage the affairs of the program effectively.

3.2.g. The board of directors shall meet at a minimum on a quarterly basis and shall keep written minutes of all meetings, including attendance and whether or not a quorum was present.

3.2.h. The board of directors shall maintain a current listing of its members, including the name, the position, and the term of membership (if applicable) for each member.

3.2.i. The board of directors shall establish internal operating procedures, including by-laws and meeting dates.

3.2.j. The board of directors shall ensure that the family protection program is adequately funded and fiscally sound. To this end, the board of directors shall be responsible for the following:

3.2.j.1. Assessing the adequacy of operating funds for at least six months into the future, i.e., reserves, guarantee of loans or other funds and fees, and developing a fund-raising strategy when necessary;

3.2.j.2. Reviewing and approving the program's annual budget;

3.2.j.3. Providing for an annual

audit of all accounts by an independent certified public accountant who is neither an employee of the program nor a member of the board of directors;

3.2.j.4. Monitoring disbursement of all funds on a quarterly basis to assure that they are made in accordance with the program's objectives as specified by the board of directors;

3.2.j.5. Assuring that a program maintains liability insurance and bond for volunteers and members of the board of directors;

3.2.j.6. Providing, at its own expense, a financial bond for all individuals delegated the authority to sign checks or manage funds. The bond shall assure the full operation of the program for a period of thirty (30) days should those individuals misappropriate or mismanage the program's funds or assets or engage in any illegal act which results in the loss of funds or assets.

3.2.j.7. Assuring that the program requests and receives funding from public and multiple private sources, and that private funding constitutes a substantial portion of the budget.

3.2.j.8. Assuring community support for the program, as demonstrated by material contributions and other donations.

3.2.k. A family protection program's board of directors shall adopt and monitor implementation of written personnel policies that shall, at a minimum:

3.2.k.1. Pertain to all paid staff;

3.2.k.2. Include requirements for recruitment efforts, equal employment opportunity, selection procedures, orientation, on-going staff development and training, and termination of employment;

3.2.k.3. List, in definitive terms, all benefits that are available to staff and volunteers., including specifics of any insurance program;

3.2.k.4. Specify eligibility for vacation, personal leave and adjusted work week, yearly carry-over and accumulation, approval procedures, and payment upon termination.

3.2.k.5. Specify actions that will be taken by the agency if an employee fails to comply with employee policies, including written notification of the nature of misconduct or poor performance, the discipline being taken, the effective date of the discipline, future consequences for reoccurrence, and appeal rights. The policy shall allow the employee the opportunity to respond to the charges of misconduct or poor performance before a disciplinary decision is made;

3.2.k.6. Specify grievance procedures for the employees, including grievable issues, steps of appeal, required time frames and who has the authority for resolution;

3.2.k.7. Define the lines of authority within the agency, and outline the authority of the supervisor(s) regarding personnel activities such as promotion, discipline, leave approval, performance evaluations, grievances, assignment of work and training;

3.2.k.8. Include job descriptions and position qualifications for each position within the program;

3.2.k.9. Require that all staff, including administrative and supervisory staff, receive performance evaluations at least on an annual basis. The evaluations must be signed by both employee and supervisor;

3.2.k.10. Set forth, in written form, rules of conduct which include such topics as appropriate attire, work hours, confidentiality, insubordination, misuse of authority or equipment, absences without leave and falsification of records;

3.2.k.11. Require that individuals providing professional or therapeutic counseling, and/or professional social work have appropriate credentials and are licensed when applicable;

and

3.2.k.12. Assure that at least one-third of its direct service providers are certified by the West Virginia Coalition Against Domestic Violence as Domestic Violence Advocates.

3.3. Client Records and Service Plans

3.3.a. A family protection program shall maintain a written record for each individual who receives services from the program.

3.3.b. Individual client records shall include service data from the time of initial contact until the time services are concluded.

3.3.c. Individual client records shall include a service plan or contract which has been developed specifically for the client. The service plan or contract shall be developed by program staff with the active participation of the client and must be completed prior to the beginning of the provision of services, except in crisis situations.

3.3.d. Individual client records shall include a record of follow-up services, when permission to provide such services is granted in writing by the client.

3.3.e. For clients of residential services:

3.3.e.1. The individual client record shall contain an application form, which includes identifying data, eligibility factors, rights and responsibilities, a service plan, signature of individual receiving residential services, and staff signature;

3.3.e.2. The service plan or contract shall include the presenting problem(s) or need(s) of the client, goals to be achieved, and services to be accessed/provided to address the presenting problem(s). Each plan shall be specific to the needs/goals of each client, and shall reflect steps relevant to safely leaving, safely staying and/or safely living on one's own.

3.3.f. For clients of nonresidential services, case notes shall be used to describe

delivery of service and justification of services received.

3.4. Family Protection Program Evaluations.

A family protection program shall complete an annual evaluation that will include the following:

3.4.a. An annual plan, approved by the board of directors, that includes program goals and measurable objectives and a budget for the operating expenses that includes public and private revenues.

3.4.b. An annual report approved by the board of directors that includes an audited financial statement and an accounting of the program's progress toward the goals in the annual operating plan.

3.4.c. A report of the frequency of and reasons for denial of services and/or eviction of residents.

3.4.d. The number of individuals served.

3.4.e. The number and type of services provided.

3.4.f. An assessment of stability and quality of staff, as indicated by the staff turnover rate, the number of Certified Domestic Violence Advocates, and the proportion of Certified Domestic Violence Advocates to non-certified advocates.

3.4.g. A staff development plan and budget, and evidence of implementation of the plan.

§191-2-4. Additional Licensing Standards for Shelters.

In addition to complying with the family protection program standards in Section 3 of this rule, domestic violence shelters, at a minimum, shall comply with the following standards.

4.1. A shelter shall have written policies that prohibit the possession and use of weapons,

except in the case of law enforcement officers who are on the premises acting in their official capacity, violence and drug or alcohol use within the shelter. A copy of the policies shall be supplied to and signed by residents to acknowledge agreement to adhere to the policies.

4.2. Shelter staff shall support the autonomy and ability of resident adults to make their own decisions as to their future course of action;

4.3. A shelter shall meet the applicable federal, state and local fire, health, and safety standards, including, but not limited to:

4.3.a. Smoke detectors on each floor, including in the sleeping area(s), the kitchen and the furnace areas;

4.3.b. A window or access to a fire escape from the sleeping areas;

4.3.c. At least one (1) fire extinguisher on each floor of the shelter and one located in the kitchen area;

4.3.d. Clear exits for escape in case of fire;

4.3.e. No lead paint on the walls, floors, doors, furniture, cabinets, windows, stairs, or porches.

4.3.f. Dead bolts used on shelter doors which are not double-keyed; it must be possible to release dead bolts from the inside without a key to allow for escape in case of fire.

4.3.g. Separate storage, out of the reach of children, of flammable, poisonous and caustic materials located in the shelter.

4.3.h. Childproof covers in electrical outlets not in use.

4.3.i. Nutritional and adequate meals, adequate food storage, cooking facilities, refrigeration, utensils, and equipment.

4.3.j. Adequate dining areas which are clean and well ventilated.

4.3.k. Bathing, lavatory and toilet facilities available on the premises which allow for individual privacy. These facilities must be maintained in good operating condition and must be cleaned on a regular basis.

4.3.l. Sleeping beds available for each resident. Cribs or playpens shall be available for infants and toddlers.

4.3.m. Centrally located secure storage with a double locking system for medications belonging to residents.

4.3.n. Resident access to telephones.

4.3.o. Securable external entrances or exits, including doors, windows, and skylights.

4.4. A shelter shall post in a conspicuous ~~and accessible place current certification~~ indicating the current compliance with that the facility meets all state and local fire and health requirements.

4.5. A shelter shall provide a clean and comfortable environment for residents. A shelter shall have enough heating equipment to be sufficiently warm during the cold months and adequate ventilation during the warm months. Heaters and fireplaces with open flames shall not be used. Doors and windows which are open in warm weather shall have insect screening in good repair.

4.6. A shelter shall have supplies for personal hygiene available for residents.

4.7. A shelter shall provide a safe play space for children. Any playground equipment shall be located, installed and maintained in a safe manner.

4.8. A shelter shall provide a space that is distinct from the living area to serve as an administrative office and a private counseling office.

4.9. A shelter shall ensure that all structures and grounds of the facility are maintained in good repair and are reasonably free from foreseeable danger to health and safety.

4.10. A shelter shall provide non-combustible covered containers when garbage and rubbish is stored outside. Garbage shall be removed at least weekly.

4.11. A shelter shall have a written process for obtaining alternative lodging to house victims of domestic violence and their children when the residential facility is filled to capacity or is ~~unable to accommodate~~ special needs populations, including, but not limited to, victims who are: elderly, have disabilities, or who are adult and adolescent males.

4.12. A shelter shall assure 24-hour coverage by a trained staff person or trained volunteer when a resident is in the facility.

§191-2-5. Licensing Standards for Family Protection Outreach Services.

A family protection program must comply with the following standards when outreach offices are used to serve victims of domestic violence.

5.1. Outreach services shall be formally associated with a licensed family protection program. If not started by or legally a part of a licensed family protection program, a formal association with such a program shall be written in a memorandum of understanding. The memorandum of understanding shall include but not be limited to the following components: decision making; finances/contracts; services to be provided; lines of accountability; and personnel.

5.2. Outreach services shall be available during established office hours, and accessible at other times by a toll-free telephone number.

5.3. Outreach services shall be provided in an office in the county designated by the licensed family protection program that has suitable space and adequate equipment for the provision of direct services to victims of domestic violence and their children.

5.4. Outreach services shall be documented in individual client records.

5.5. Outreach services' financial records shall be kept by the licensed family protection program and in compliance with accepted audit standards.

5.6. Outreach services shall include, but not be limited to:

5.6.a. Legal advocacy;

5.6.b. Community education and prevention activities;

5.6.c. Information and referral;

5.6.d. Safety planning;

5.6.e. Crisis counseling.

5.6.f. Sexual assault services unless already being provided by a local sexual assault program.

5.6.g. Client confidentiality at all times.

5.7. Outreach services shall be supported by the community, as demonstrated by one or more of the following: donated goods; donated space; in-kind donations; cash; volunteers; etc.

5.8. Minimum staff requirements. Outreach staff shall attend a four-week orientation/training program provided by a licensed family protection program and attend at least two West Virginia Coalition Against Domestic Violence advocate certification trainings per year.

5.9. In cases where the licensed family protection program contracts with another organization to provide outreach services, that organization shall maintain its own financial records and comply with all preceding standards except those contained in subsection 5 of this section.

§191-2-6. Funding of Family Protection Programs and Shelters.

6.1. Amount Awarded - The Board shall award to licensed family protection programs, and/or shelters, for each state fiscal year, ninety-five percent (95%) of the total funds collected

and paid over during the fiscal year to the special revenue account established pursuant to W. Va. Code §48-2-604. Any administrative funds not expended the previous year shall be carried over and allocated to programs the following fiscal year.

6.2. Application for Funds - The Board shall accept applications for a grant of funds from any licensed family protection program. The application shall include, but not be limited to the following:

6.2.a. A copy of the Articles of Incorporation Certificate and a copy of the 501(c)(3) Internal Revenue Service Determination Letter.

6.2.b. A list of the incorporators of the corporation and a list of the officers and the board of directors.

6.2.c. The proposed budget of the family protection program for the following fiscal year.

6.2.d. A summary of the services proposed to be offered in the following fiscal year by the family protection program.

6.2.e. An evaluation of the local need for a family protection program.

6.2.f. An estimate of the number of people to be served by the family protection program during the following fiscal year.

6.2.g. Any other information the Board may feel is necessary.

6.3. Criteria - In order for a family protection program to qualify to receive grant funds from the Board, it must meet the following criteria:

6.3.a. Provide or propose to provide a facility which will serve as a temporary shelter to receive, care and provide services for individuals who are victims of domestic violence or abuse and their children.

6.3.b. Be incorporated in the state of

West Virginia as a nonprofit corporation.

6.3.c. Have a board of directors, which represents a broad spectrum of the community to be served, including at least one individual who is or has been a victim of domestic violence or abuse.

6.3.d. Receive at least fifty-five (55) percent of its funds from sources other than funds distributed under this rule. These sources may be public or private and may include contributions of goods or services.

6.3.e. Require persons employed by or volunteering services to the program to maintain the confidentiality of any information which may identify individuals served by it.

6.4. Restrictions

6.4.a. The Board shall not fund a family protection program initially if it is shown to discriminate in its services on the basis of race, religion, age, sex, marital status, national origin or ancestry. If such discrimination occurs after initial funding, the program will not be refunded until the discrimination ceases.

6.4.b. The Board shall not refund a family protection program if its original application projected the provision of residential services and such services were not provided in the first three months following the initial disbursement of funds by the Board. Provided that upon a subsequent showing that the funds were used in the manner proposed in the original application, the program is not barred from subsequent funding. A revision of the original application may be filed with the Board when the program starts providing residential services.

6.5. Grant Award Criterion - The Board shall make grant awards on the basis of the following criteria. The Board must grant or deny an application within forty-five days of the receipt of the application.

6.5.a. Demonstration of need for proposed services.

6.5.b. Merit of project as proposed to

include at minimum: adequate funding to support the program, geographic area(s) to be served, record of effective services and coordination with other programs.

6.5.c. Demonstration of local control of the program.

6.5.d. Administrative design and efficiency of the project.

6.5.e. Proposed goals and objectives.

6.6. Distribution of Funds - The Board shall deliver funds to each family protection program within forty-five (45) days of the approval of a grant application. Within any fiscal year the Board shall distribute fifty percent (50%) of the grant funds in equal portions to all licensed family protection programs within the forty-five (45) day limit. The Board shall also develop a formula for a second distribution of the remaining fifty percent (50%) of the funds it awards. Distribution of the second half of the funds shall occur by the fifteenth day of January of each fiscal year. The amount awarded to each family protection program shall be based on an effort to distribute funds in a fair and equitable manner, by acknowledging the size and associated costs of the programs, rewarding programs for active and successful grant writing and fund raising work, and by implementing W. Va. Code §§48-2C-6 and 8. To determine the individual program award amounts of the second-half of the grant funds, the Board shall award funds according to a formula determined by the Board which may include but not limited to: population, the number of beds, shelter nights, individuals served, diversification of funding and operational budgets. The Board shall identify and provide funding formula factors to family protection programs on or before January 15 each year. The Board shall require and review monthly financial reports from each program to assure the proper expenditure of grant funds.

6.7. The following agencies and practitioners shall not be funded by the Board:

6.7.a. Agencies which provide counseling, therapy and other social services to

victims of domestic violence, but were not created or organized for the expressed purpose of serving such domestic violence victims.

6.7.b. Agencies which were created or organized for the expressed purpose of providing services to homeless individuals and families.

6.7.c. Local private practitioners who are providing services to victims of domestic violence within the scope of their professional license or by other professions including but not limited to: 1) Social Workers certified under the West Virginia Social Work Licensure Law or by the National Association of Social Workers; 2) marriage counselors or family therapists certified by the American Association for Marriage and Family Therapy; or 3) addiction counselors certified by the West Virginia Association of Alcohol and Drug Abuse Counselors, or 4) physicians and other health care practitioners.



West Virginia Coalition
**AGAINST
DOMESTIC
VIOLENCE**
for a safer state of family

6

December 4, 2007

Ron Foster
PO Box 467
Scott Depot, WV 25560

As per your request:
Requirements for Certification of Advocacy
If you have further questions, please call me at 304-965-3552.

Thank you.

Sue Julian
WVCADV Team Coordinator

11

Domestic
Violence
Advocate
Certification



West Virginia Coalition

**AGAINST
DOMESTIC
VIOLENCE**

for a safer state of family

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**For more information about
Domestic Violence Advocate Certification contact:**

West Virginia Coalition Against Domestic Violence
4710 Chimney Drive, Suite A
Charleston, WV 25302
(304) 965-3552 voice
(304) 965-3572 fax
www.wvcadv.org

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This project was also supported by the Appalachian Community Fund.

Revised 9/05

1. Domestic Violence Advocates promote the safety and well-being of women and children who are victims of abusive relationships.
2. Advocates respect and affirm the right of victims to self-determination and assist in efforts to identify and clarify goals. With the victim's participation, these efforts include the development of a plan of action and coordination of services that serve the best interest of the individual.
3. Advocates engage in self-examination of their own values, prejudices and biases in order to enhance honest, effective and culturally competent advocacy.
4. Advocates provide professional and ethical services, encourage empowerment and act with integrity.
5. Advocates adhere to all professional rules of confidentiality as set forth in the Program's policy statement.
6. Advocates identify, develop and examine broad-based issues and policies that pertain to domestic violence and utilize the analysis as a base for public education and awareness efforts.

1. The safety of victims is always the primary goal of advocacy.
2. The voice of survivors of intimate partner violence is the major guide for service provision.
3. The Battered Women's Movement is national and global and touches all other forms of violence and oppression.
4. Working with diverse individuals means accepting and supporting the diversity that permeates all aspects of the work to end violence against women.
5. At core, the work of the Battered Women's Movement is an ongoing interplay of individual empowerment, systems advocacy and social change.
6. The philosophical base of our work is empowerment of battered women and their children.

Certification of domestic violence advocates helps to assure competent delivery of services throughout the state by increasing capacity to assess and respond to complex individual and family circumstances. Certification also strengthens credibility of and need for advocacy services in other systems: criminal justice, social services, law enforcement, health care, education, etc. WVCADV Domestic Violence Advocate Certification is recognized and honored throughout the state of West Virginia.

Obtaining certification requires that Domestic Violence Advocates complete minimum training and experience requirements, demonstrate competency in duties to their Program Director, and adhere to the Code of Ethics for Domestic Violence Advocates. Advocates may begin the process of fulfilling the requirements for certification at any time, becoming eligible for certification upon three-year employment with a licensed domestic violence program.

Program Directors are responsible for monitoring the ongoing competency and quality of services of Certified Advocates on staff. West Virginia Standards for Licensure of Domestic Violence Programs require that one third (33%) of staff at licensed domestic violence programs be Certified Domestic Violence Advocates. Through the peer review process, individual programs are responsible to report adherence to the standards for licensure to the Family Protection Services Board.

WVCADV is a major trade association with the expertise to develop, approve, and administer this program. The Training Committee of the WVCADV Board of Directors reviews applications bi-annually in April and October.

Domestic Violence Advocate Certification Requirements

1. Completed a minimum of three (3) years as full-time staff (which can be pro-rated for a part-time staff position) of a licensed domestic violence program. Anyone not currently working for a licensed domestic violence program in WV must hold supporting membership in WVCADV.
2. Completed high school or earned a GED;
3. Documented compliance with minimum training requirements for certification;
4. Received recommendation from a director of a licensed WVCADV member program or Board chair of such a program; and
5. Completed application and fee process.

A minimum total of one hundred (100) hours of completed approved training is required. At least eighty (80) hours of completed training must be approved by WVCADV for certification credit. Up to twenty (20) hours of completed training may be provided by the local licensed domestic violence program in the form of staff orientation, in-service training or self-study. All training submitted for certification must include documentation of approval and completion. Completed training is required in each of the following core curriculum areas according to minimum hours listed below. Refer to curriculum learning objectives beginning in Tab 2 to determine applicable training content for each topic area.

Core Curriculum Area	Minimum Hours Required
----------------------------	------------------------

1. History and Philosophy of the Battered Women's Movement	6
2. Domestic Violence and Other Forms of Violence and Oppression	6
3. Woman-Centered Intervention Strategies	6
4. Ethical Considerations	6
5. Health, Mental Health and Substance Abuse	6
6. Child Victimization	6
7. Civil Legal Remedies	6
8. Criminal Legal Remedies	6
9. Stalking and Domestic Violence	6
10. Batterers Intervention and Prevention Strategies	2
11. Cultural Competency and Awareness	6
12. Communication Skills	6
13. Community Organizing and Social Change	6
14. Collaboration and Systems Advocacy	6

Trainings qualify for credit when the trainings are:

1. Provided by licensed domestic violence programs, including staff orientation, in-service or self-study (limited to 20 hours of the total number);
2. WVCADV sponsored trainings;
3. WV Foundation for Rape Information and Services (WV-FRIS) sponsored trainings; and
4. Approved through the application for approval of non-WVCADV training process (see Tab 5).

Recommendation Requirement

The Program Director is responsible for reviewing and signing off on applications prior to submission to assure that the application is complete and accurate. The recommendation of a Program Director assures that the applicant meets the requirements for certification.

Fees for Certification

The initial certification fee is \$75 to be paid to WVCADV. This is a one-time, non-refundable application fee. The regular fee for renewal is \$25. An additional late fee of \$50 is applied to renewal applications that are submitted after the expiration deadline. Date of certification expiration appears at the bottom of the Certificate. All fees are deposited in a special revenue account residing at and administered by the Coalition Statewide Office. Collected fees are used for direct training purposes.

Fee Summary

Initial Certification	\$75
Renewal Certification	\$25
Renewal Certification plus Late Fee	\$50

WVCADV Training Requirements

Certification renewal is required every two years. To maintain full certification status, a renewal application (see Tab 4) must be submitted to WVCADV prior to the expiration of current certification. Renewal certification requirements include:

1. Thirty hours of approved training completed every two years;
2. Completed renewal application* and fee; and
3. Recommendation from Program Director if currently employed in a licensed domestic violence program.

***Renewal application or a written request for a time extension must be submitted to WVCADV prior to the expiration of certification. Time extensions may be granted by the Training Committee for up to six months. If the advocate fails to submit a renewal application after six months after the expiration, the advocate must apply as a new applicant in order to have certification reinstated.**

Grievance Process

Grievances are to be directed to the attention of the WVCADV Team Coordinators. Grievances will be reviewed and responded to by an ad hoc grievance committee comprised of the WVCADV Team Coordinators and one member of the WVCADV Board of Directors.

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LICENSED DOMESTIC VIOLENCE PROGRAMS

DOWNLOAD LISTING OF LICENSED PROGRAMS AND OUTREACH OFFICES

Branches, Inc.

Rhonda Hall
PO Box 403
Huntington, WV 25708
304-529-2382
fax: 304-529-2398
branchesdv@aol.com

Family Crisis Center

Penny Sanders
PO Box 207
Keyser, WV 24901
304-788-6061
fax: 304-788-6374
fcc@citynet.net

Family Crisis Intervention Center

Judi Ball
PO Box 695
Parkersburg, WV 26102
304-428-2333
fax: 304-428-2398
fcic@citynet.net

Family Refuge Center

Gloria Martin
PO Box 249
Lewisburg, WV 24901
304-645-6334
fax: 304-645-7368
frc@wvdlis.net
www.familyrefugecenter.com

HOPE, Inc.

Harriet Sutton
PO Box 626
Fairmont, WV 26554
304-367-1100
fax: 304-367-0362

fris@labs.net

The Lighthouse

Lucy Crofton
P.O. Box 275
Weirton, WV 26062
304-797-7233
fax: 304-797-7740
lucycrofton@yahoo.com

Rape & Domestic Violence Information Center

Judy King Smith
PO Box 4228
Morgantown, WV 26505
304-292-5100
fax: 304-292-0204
rdvic99@earthlink.net
www.rdvic.org

Shenandoah Women's Center

Ann Smith
236 W. Martin St.
Martinsburg, WV 25401
304-263-8522
fax: 304-263-8559
annsmith@swcinc.org
www.swcinc.org

Stop Abusive Family Environments (S.A.F.E.)

Sharon Walden
PO Box 234
Welch, WV 24801
304-436-8117
fax: 304-436-6181
safewalden@yahoo.com
www.wvsafe.org

Tug Valley Recovery Shelter

Kim Ryan
PO Box 677
Williamson, WV 25661
304-235-6121
fax: 304-235-6167
kryan@cyberriver.net

Women's Aid In Crisis

Marcia Drake
PO Box 2062
Elkins, WV 26241
304-636-8433
fax: 304-636-8437
waic@numedia.net

Women's Resource Center

Patricia Bailey
PO Box 1476
Beckley, WV 25802
304-255-2559
fax: 304-255-1585
wrc@intone.net

YWCA Family Violence Prevention Program

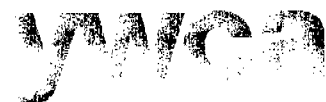
Rhonda Hayes
1100 Chapline Street
Wheeling, WV 26003
304-232-2748
fax: 304-232-0513
rhayes@stratuswave.net

YWCA Resolve Family Abuse Program

GeorgeAnn Grubb
1114 Quarrier Street
Charleston, WV 25301
304-340-3550
fax: 304-340-3614
ggrubb@ywcachaswv.org
www.rfap.org

eliminating racism

improving health



autumn 2007 issue 33

charleston, wv

empowerment

What does empowerment mean to you?

The ability to do what you want, go where you choose and make your own way in life? These are things most of us take for granted, but for people struggling to overcome challenges, obstacles, handicaps and drastically reduced circumstances, becoming empowered is the ultimate goal. It's also the expected achievement of every person we provide services to at the YWCA of Charleston, and in fiscal year 2006-2007, that number exceeded 4,500.

Please review our FY2006-2007 success statistics.

Look over our wish lists. See what each program is requesting for the families we help. Then think of us as the holidays approach and give what you can. And remember that when you give to the YWCA of Charleston, you're not just donating, you're creating opportunities for self-empowerment.

YWCA Alicia McCormick Homes for Battered and Homeless Women and Children — interim housing to assist the transition to independent living reports:

- 100% with addiction issues are succeeding in their recovery and attend NA/AA meetings regularly
- 75% received promotions or job advancements while residing at YWCA McCormick Homes

• 100% of our residents who transitioned to independent living increased their monthly income by an average of 70%

- 42% attended school or vocational training in addition to working full or part-time, and,
- 100% of the residents of the ten Alicia McCormick apartments were employed or had supplemental income.

YWCA Shanklin Center for Senior Enrichment — eight apartments designed as permanent housing for disabled female victims



A man may work from sun to sun, but a woman's work is never done! Clowning around for the camera (notice the guys are merely pointing at the work to be done), yet pitching in as a hard working team for the United Way Day of Caring at the YWCA Shanklin Center for Senior Enrichment are (l to r): Jenni Dorsey of City Group/Smith Barney, Todd Cowley and Derek Godwin, both of Herman & Cormany, CPAs, and Tonya Ferguson of Chesapeake Energy.

Operating costs for Alicia McCormick Homes are offset by proceeds from two of the three retail establishments operated by the YWCA.

Past n' Present
Gently Used Clothing/Gift Items

Perkin' UP
Gourmet Coffee Shop

of elder abuse. At the YWCA Shanklin Center, these mothers, grandmothers, sisters and aunts are able to live out their lives in peace and with dignity, free from the physical, emotional and financial abuse that previously they endured or risked becoming homeless. Private, independent-living apartments feature a common courtyard and an adjacent activity center to allow for skill-improvement, socializing and a sense of community. Shanklin Center-Phase Two is in progress to provide three additional units.

Continued on page 2

what's inside

more empowerment	2-4	past & present	5	let's clean house	7
guys night out thanks	3	women of achievement	6	thanksgiving dinner	8

Facility and case management costs of the YWCA Shanklin Center are offset by proceeds from the YWCA 2nd Seating Gently Used Furniture Store.



Call 344-1348 for pickup of larger items.

Wish List for Alicia McCormick Homes and Shanklin Center: sets of single sheets and pillowcases; towels and washcloths; kitchen utensils and any and all household items, practical or decorative. Please call 415-2682 or 414-2443 for location to drop off items.

In West Virginia in 2006, reports of physical abuse in their own homes for seniors age 59-plus numbered more than 100, neglect and exploitation, 2,902 and sexual abuse: 16.

Source: WVDEHR Bureau for Children and Families

YWCA Child Enrichment Center (CEC) — state licensed, enriched childcare with programs for infants/toddlers, pre-school and school-age children from six weeks to 12 years of age. Special emphasis is placed upon individual needs, learning through play and preparing children for success in school. CEC serves all area families, regardless of ability to pay, and has been pivotal in providing single mothers with dependable, secure childcare while attending school or working.

CEC Wish List: Bibs and washcloths. Call 340-3560.



They scraped, sanded, sealed and spiffed up the exterior of the YWCA CEC with a generous donation of paint and painting supplies from Chris at the Randolph Street Sherwin Williams. Here's who's who from Columbia Gas Transmission on the United Way Day of Caring on Sept. 12: From left: Paul Kinzer, Mike Mamone (kneeling), Annette Lucas. Right side of sign: Mike Walker (kneeling), Penny Sisk, Matt Ferrell, Cheryl Thrift, Zach McPherson.



Taking a break and trying to grab some shade during the United Way Day of Caring, eight employees from Commercial Insurance Company volunteered their time and energy to the YWCA Resolve Family Abuse Program. Left to right in 1st row: Jason Porter, David Stacy; 2nd row: Sandy Jenkins, Kris Tawney; 3rd row: Kathryn Simmons, Janet Buckley, Christy Moss and Gail Carter.

In the past fiscal year, the YWCA CEC served 40,501 meals to an average daily attendance of 75 children. Since 84% of CEC's population is made up of financially challenged families, we know that the delicious, nutritious meals are greatly appreciated.

Thanks from Sandy Benedict, program director of the YWCA Alicia McCormick Homes and the YWCA Shanklin Center, to the Kanawha County Association of Retired School Employees for their ongoing loyal support by recognizing birthdays of residents of McCormick and Shanklin Housing, with donations of household paper supplies, and holiday remembrances and gifts throughout the year.

Calling all painters — or volunteers who can wield a paintbrush or push a roller. CEC needs assistance with painting the interior of the facility and and hopes you'll help. Call 340-3560 and ask for Carol. It's a perfect assignment for college kids on holiday break, or for clubs or co-workers who want a shared community service project!

empowerment is freedom from abuse

YWCA Resolve Family Abuse Program (RFAP)

Since 1981, the YWCA RFAP mission of eliminating domestic violence has been fulfilled through many services and programs for victims and their children, including a shelter (Hope House) for battered women and their children (capacity: 15 adults and their children), 24-hour crisis hotline, court and legal advocacy, counseling programs, a teen dating violence prevention program, and a program to assist men who batter in ending the cycle of violence. Services are available in Kanawha, Clay and Boone counties and the tally for '06-'07 includes:

- 3,144 individuals received services
- more than 750 hours of free counseling were provided to more than 198 victims and children
- more than 650 individuals attended support groups, parenting classes and tutoring sessions
- 28 families weekly utilized RFAP's Monitored Visitation and Exchange Center (for children to spend time with both parents)
- 18,544 meals were served to 167 women and children in Hope House
- more than 156 men attended Batterers Intervention/Prevention Program sessions



- One domestic violence homicide was committed in West Virginia; that's the average for 2006 with a total of 44 senseless, horrific fatalities.
- In the U.S., a woman is beaten every 15 seconds.
- 40% of teen girls age 14-17 know someone their age who has been hit or beaten by a boyfriend.

RFAP Wish List:

For Hope House:

- women's and children's pajamas or nightgowns; underwear, socks, slippers
- kitchen and bathroom paper products and diapers of all sizes
- bath mats, pillows, twin-size comforters and sheet sets
- uplifting artwork to decorate Shelter walls

To assist in the transition to independent living:

- furniture, dishes, pots/pans, towels/washcloths and sets of twin sheets and pillowcases. Call 340-3554.

Special thanks from RFAP Program Director GeorgeAnn Grubb to:
St. Francis Domestic Violence Committee's Bunco Night — raised nearly \$7,000

Girls Night Out/High Hopes Committee —

raised approximately \$95,000 — amazing!!

Verizon Employees Advisory Council on Family Care — \$500 donation

Brothers of the Wheel — \$500 for Boone County program

For gifts to the Hope House shelter, we thank:

Rebecca Nicholas — playground equipment, toys, go-cart, sand box, swing, etc.

Becky Jordon — 2 children's bikes and 2 power wheels

Jenny Parsons (former RFAP staff) — sheets, towels, gowns, etc.

Dallas and Jeanne Garrett—sheets, towels, gowns, etc.

Smithers Presbyterian Church — Barbara Diehl and Edna Reed — and members of the Hattie Dillon Circle — personal items and supplies for the women and children

Christy Samms — clothing for Hope House women

Church of God Southern WV — Franklin Rogers — pajamas, gowns, socks, slippers, underwear for women and children

Union Mission — backpacks for children in our programs

Summit Garden Club volunteers for monthly fun and educational horticulture projects with RFAP Children's Group in Charleston

All the helpers for our first children's Summer Arts Camp: Steve

Erskine, Beth Smith, Thomas Eva, Chante Straughter, and Christian Shavers. And Eva Ledbetter who donated snacks and prizes.

Ruth Sayre, Charleston Public Safety Council — refrigerator and entertainment center.

Thanks also to Verizon for collecting and donating gifts of personal items for the women of Hope House as part of the "Showers for Shelters," a project of the National Network to End Domestic Violence.

YWCA RFAP Children's Specialist

...to represent West Virginia at a national conference in New Orleans in September. We applaud her good work and dedication to the cause of eliminating domestic violence.

homelessness is financial freedom

If so, you understand how the sudden loss of

turn could lead to homelessness. On any given day in the U.S. 300,000 people are homeless, including... your country is no guarantee of a decent life back home: there are nearly 200,000 veterans without a place to call their own.

Sources: National Alliance to End Homelessness and The National Center on Family Homelessness

YWCA Sojourner's Shelter for Homeless Women & Families and Sojourner's Education/Job Readiness Center — two facilities to provide shelter, comprehensive case management, program services, counseling, education and training to assist families in escaping homelessness and recovering or creating productive lives.

The objective of the YWCA Sojourner's Shelter is not to manage homelessness but to end it. Maintaining a 5% recidivism rate that is well below the national average of individuals returning to a facility, other YWCA Sojourner's successes include:

- provided safe refuge to a daily average of 64 parents and children
- sheltered a total of 1,151 individuals, 332 of whom were children
- prepared and served 81,626 well balanced, nutritious meals/snacks
- 96% of residents found and maintained housing beyond six months
- 81% of program participants moved to higher levels of education
- 65% gained meaningful employment.

Sojourner's Wish List:

- 25 large turkeys and 12 hams for the 21st Annual Thanksgiving Dinner to Aid the Homeless at Wellington's on November 11
- gift certificates for Kroger, Shoe World, Payless and Wal-Mart to purchase items as needed
- five-gallon buckets of laundry detergent (Sam's stocks this item for \$17.86 per container; many are needed)
- five (5) truckloads of fill-dirt for children's playground
- juice, fruit, meat, potatoes, canned goods, vegetables, etc.
- art supplies of paper and paint for children's classes
- families or groups to purchase/prepare special Sunday dinner for the residents—come see the good work being done at Sojourner's



The men and women of Bowles Rice McDavid Graff & Love LLP were non-stop workers at the YWCA Sojourner's Shelter for Homeless Women and Families during the United Way Day of Caring. The women's team included (l-r) Jenny Bradley, Jennifer Thomas, Judy Margolin, Lori Keen, Patty Ebert, Danielle Cox and Barbara Joseph (not pictured: Susan Glenn). Representing the guys are (l-r) Paul Frampton and John Lambert.



YWCA Sojourner's Shelter Program Director Margaret Taylor sends thanks to:

- Dee Hill and Janice Amspoker for treating our residents to a day at the Regatta which included food, rides and all of the ice cream they could eat!
- Rita Avashia for funding our Books for Kids Program and Taylor Books for their participation
- Barbara Joseph and her team from Bowles Rice McDavid Graff & Love not only for their Day of Caring efforts but also for the carnival for the kids with popcorn, snow cones, drinks, games and face painting, and for treating the more than 60 residents to a full-course Italian dinner brought in from Fazio's— a really special treat for our residents
- Tom Lane and the City of Charleston for the 2007 Live on the Levee concerts that benefit five local agencies serving the homeless in Charleston and the Kanawha Valley
- Charleston Job Corps, community volunteers and area residents for giving up their Saturday to help with the Sojourner's Car Wash
- Everyone who provides vitally needed monetary gifts for the ever-changing needs at the Shelter.

giving new families of please give us the old stuff!

The YWCA 2nd Seating Gently Used Furniture Store needs donations of anything you're not sitting on, working at, storing stuff in or lounging about on! That's right: chairs, sofas, bookshelves, desks—we need it all. Proceeds benefit seniors in need: female victims of elder abuse and donations are tax-deductible. Please call 344-1348 and we'll come pick up the heavier pieces.

ywca news & notes

Quality Time with the Kids

For parents who need monitored visits with their children or a secure, neutral place to exchange children for visits, the YWCA Resolve Family Abuse Program offers a Monitored Visitation and Exchange Center. Because we believe that family time is vitally important for parents and children, we maintain a neutral position regarding parental issues and conflicts. We accept referrals from family court judges, attorneys, circuit courts, magistrates, the WV Department of Health and Human Resources and other professionals for access to the Center. There is outside play space, plus rooms for games, activities, and TV or video-viewing. Call 610-9118 for more information.



Perched between the columns above the YWCA's second-story porch, a workman uses a high-power water spray to prep the façade for a facelift. Repairs have continued at a steady pace through the summer and fall and will continue into the winter and spring. We appreciate your patience as the work progresses.



portrait of a philanthropist

In a rare instance of receiving rather than giving, Mrs. Betty Schoenbaum accepts flowers from YWCA Board of Directors President Staci Criswell. The occasion was a YWCA-hosted commemoration of Mrs. Schoenbaum's 90th birthday and an homage to her many years of philanthropy and charitable giving, not only to the YWCA, but also to countless other deserving organizations. We wish her many more years of health and happiness!

past & present brings out the best in everybody

Whether you're shopping for gently used clothing for men, women and children, or stopping by to have a fresh-brewed cup of coffee or tea, or donating clothing to our store, you're helping women and their children transition to independent living! All proceeds from the YWCA Past & Present Gently Used Clothing Store and its in-house gourmet coffee shop, Perkin' Up, benefit the YWCA Alicia McCormick Homes for Battered and Homeless Women and Children. These apartments help ease the transition to self-sufficiency and your patronage helps so much. Buy, donate or volunteer: it all goes toward helping women and children lead useful, productive lives. Call 340-3646.

Past & Present Wish List: donations of clean, gently used clothing for men, women and children; special need for women's plus size clothing; men's belts and clothing, and four new small garbage cans on wheels.

no rest for the wonderful...

Past & Present part-time employee Trina Hindman donates up to 20 volunteer hours per week working with wardrobe or mixing up coffeeicious treats. Thanks, Trina!

bargain basement sales

A grab bag sale of fabulous family fashions at incredibly low prices on:

- Friday, November 2 – 8 am–4 pm
- Saturday, November 3 – 10 am–4 pm
- Friday, December 7 – 8 am–4 pm
- Saturday, December 8 – 10 am–4 pm



Revved-up volunteers from Enterprise Rent-A-Car worked tirelessly at the YWCA Past & Present Gently Used Clothing Store to spruce up the grounds for the United Way Day of Caring: (l to r) Sean Devlin, Hope Stevens, Brett Webster, Tonya Kyle, Jason Tardiff, John Gillespie, Greg Kujawa and Raymond Washington.

Drop by the YWCA Past & Present Gently Used Clothing Store and Perkin' Up Gourmet Coffee Shop at 1598 Lee Street East in Charleston Monday through Friday from 7 am – 6 pm and on Saturday from 10 am – 5 pm. Call ahead for easy coffee pickup at 340-3646.

2008 Women of Achievement

eliminating racism
empowering women **YWCA**

12th Annual YWCA Women of Achievement Awards Luncheon

Thursday, Feb. 21, 2008
Noon – 1:30 pm
Embassy Suites Hotel

Honoring:

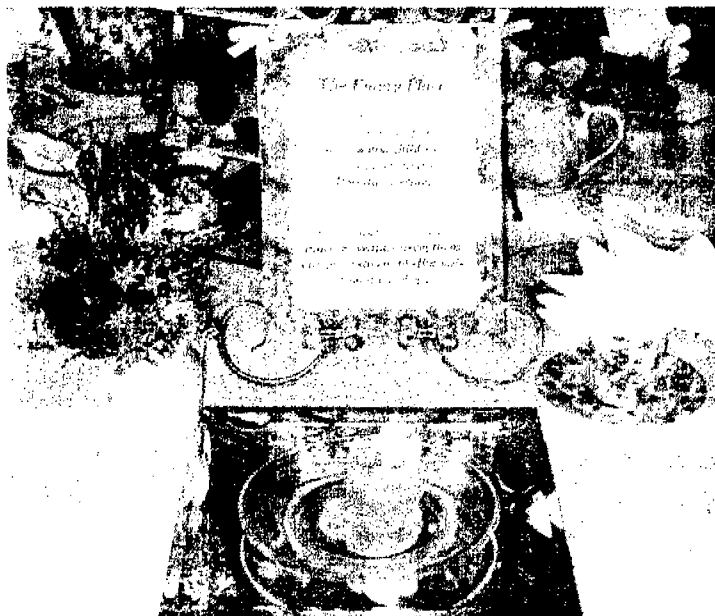
**Helen Lodge
Jorea Marple
Sarah Stebbins**

and

Third-annual YWCA Empowerment Award winner
Jennifer Bailey

Reserve your sponsorship and tickets now.

Call Rachelle Beckner at (304) 414-3113 or send an e-mail:
rbeckner@ywcachaswv.org

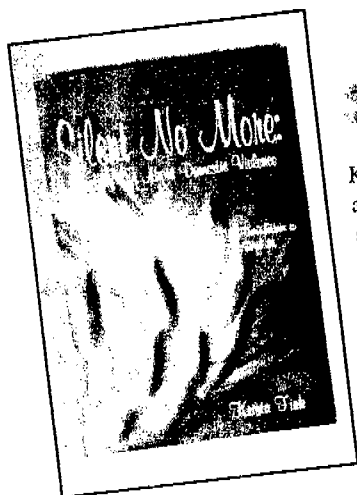


The empty place honors lost lives

In observance of October as domestic violence awareness month, on Oct. 23, the YWCA RFAP held the 2nd annual Survivors Tea. Aptly named, the poignant get-together is a luxurious few hours of delicious foods, beautiful table linens, delicate teacups and many decorative touches for our brave survivors of domestic violence. The Empty Place is set each year to remember those victims and their children whose lives were lost to abuse.

Thank you, United Way!

As a United Way-funded agency, the YWCA appreciates everything the United Way does for us. We also want to express heartfelt thanks from the YWCA Board of Directors, YWCA staff and our program participants for the incredible amount of work performed by the amazing corps of volunteers during this year's United Way Day of Caring on Sept. 12. We couldn't do it without you. United Way!



survival story

Krista Fink, the author of *Silent No More — Speaking Out About Domestic Violence*, an account of her experience with—and escape from—an abusive relationship, is a high school teacher and a member of the board of directors of the YWCA of Charleston. She received support in recovering from abuse from the YWCA RFAP and now is active in helping others break free from domestic violence. Subtitled “You don’t have to live with it,” her book is for sale (\$20) at the YWCA and portions of the proceeds benefit RFAP. Call 340-3573.



And let's fill the YWCA 2nd Seating Gently Used Furniture Store to the ceiling. Before all that company descends on you for the holidays, get rid of the stuff that you're not using—give it to us! Gently used sofas, chairs, beds, tables, desks, bookcases, lamps—you name it and we need it.

You'll earn a tax deduction, a clean house and the satisfying feeling of knowing that your donations will be re-sold and all

proceeds will benefit disabled female victims of elder abuse at the YWCA Shanklin Center for Senior Enrichment. We'll even come pick up the stuff that's too bulky or big for you to drop off to 2nd Seating at 412 Elizabeth Street. Just call 344-1348 or stop by Monday through Saturday from 10 am – 5 pm.

2nd Seating

YWCA Gently Used Furniture



When Genevieve Hogan was five, her mother (Charleston artist and YWCA donor Sharon Harms) used her as the model to illustrate a poster for the Thanksgiving Benefit Dinner. "That was many years ago and it was my first computer illustration," says the Chicago native. "This piece opened a door to a whole new world of creating art for me." The artist generously updates the copy on the poster each year, but the charming image of her Genny (now a teenager) has become the cherished symbol of the annual benefit dinner. Thank you, Sharon!



Thanks
to all the
organizers
and sponsors
of the

2nd Annual GUYS NIGHT OUT

Nearly \$30,000 was raised for the
YWCA Sojourner's Shelter for Homeless Women & Families
through their generous contributions.

Sponsored by:

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JOHNSON
ATTORNEYS AT LAW

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Warner Law Offices PLLC
Wingate Inn
Women of the Moose #317
WVU Alumni Association,
Kanawha Valley Chapter

Special thanks to the Guys Night Out Committee

Paul Buechler,
Co-Chair
Jeff Sandridge,
Co-Chair

Ron Beane
Randy Daniel
Tom Lane
Joe Long
Justin Southern

"Best Seat
in the House"
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YWCA Programs

**Alicia McCormick Homes
for Battered & Homeless
Women & Children**
(304) 415-2682

Supporting Stores:

Past & Present
Gently Used Clothing
(304) 340-3646

Perkin' Up
Gourmet Coffee Shop
(304) 340-3646

Child Enrichment Center
(304) 340-3560

**Elder Abuse Initiative &
The Shanklin Center
for Senior Enrichment**
(304) 415-2682

Supporting Store:
2nd Seating
Gently Used Furniture
(304) 344-1348

**Health Promotion Services/
Nautilus**
(304) 340-3550

Resolve Family Abuse Program
(304) 340-3554
(800) 681-8663 (crisis line)

**Sojourner's Shelter
for Homeless Women & Families**
(304) 340-3553

Come to the 21st Annual Thanksgiving Benefit Dinner to Aid the Homeless

On November 11 from noon - 3 pm at Wellington's of Scarlet Oaks, you can enjoy a traditional Thanksgiving feast, lovely music and very good company. At just \$30 per person (60% tax-deductible), and children under ten free, it's a wonderful way to spend a Sunday and help the homeless. All proceeds from the annual Thanksgiving dinner benefit the YWCA Sojourner's Shelter for Homeless Women and Families and the Roark-Sullivan Lifeway Center, Inc. Stop by the YWCA at 1114 Quarrier Street to purchase tickets or call 340-3553 or 414-0109.

end of the year tax incentives

Reduce your tax liability and help victims of domestic violence, elder abuse or homeless women and children. When you contribute \$500 or more to the YWCA, your gift is eligible for West Virginia Neighborhood Investment Program tax credits. Any individual or private sector business that donates a minimum of \$500 in cash, stocks, personal property or real estate to the YWCA is eligible to receive up to 50% of the gift in state tax credits. These tax credits can be used to reduce your liability on corporate net income tax, business franchise tax and personal income tax. You must use your credits within a five-year period, beginning with the tax year that you made the donation. So c'mon, help the needy and reduce your state and federal tax liability. Everyone wins! For more information, contact YWCA Development Director Rachelle Beckner at 414-3113.

To correct mailing info or duplicates, call 340-3584

autumn 2007

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9

WOMEN KILLERS

	<i>Case #</i>	
Danville	532013716	18 year old female kills 18 year old male Boyfriend
Harrisville	42308290	30 year old female kills <u>8 year old Son</u>
Harrisville	42308290	30 year old female kills <u>5 year old Son</u>
Kanawha Co. SO	06112201	32 year old female kills 24 year old male In-law
Logan	511042317	69 year old female kills 70 year old male Boyfriend
Mercer Co. SO	20060357	31 year old female kills 32 year old X Spouse (male)
Mercer Co. SO	20063004	60 year old female kills 75 year old male Spouse
Putnam Co. SO	1561618	27 year old female kills male <u>baby under 1 year</u>
Union SP	63303744	54 year old female kills 83 year old Father

9 Women Killed 9 Males Including:

**1 Spouse 2 Boyfriends
3 Sons (8 and under) 1 X Spouse
1 Father 1 Male In-law**

MEN KILLERS OF FEMALES

	<i>Case #</i>	
Dunbar	0604170272	21 year old male killed 34 year old Girlfriend
Dunbar	0612310997	63 year old male killed 64 year old Wife
Dunbar	0612310997	63 year old male killed 33 year old Daughter
Harrison Co. SO	0663525	62 year old male killed 64 year old Wife
Kanawha Co. SO	06052218	43 year old male killed 28 year old Wife
Kanawha Co. SO	06030216	45 year old male killed 36 year old Wife
Martinsburg SP	212056589	57 year old male killed 47 year old Common Law Wife
Martinsburg SP	212056662	21 year old male killed 41 year old Stepmother
Martinsburg SP	212057039	34 year old male killed 34 year old Girlfriend
Monongalia Co. SO	0606816	46 year old male killed 47 year old Girlfriend
Morgantown SO	121031387	27 year old male killed 24 year old Girlfriend
Princeton PD	010600136	51 year old male killed 50 year old Wife
Princeton PD	010600136	52 year old male killed 32 year old Stepdaughter
Putnam Co. SO	06-2-2139	53 year old male killed 47 year old Wife
Quincy SP	412023132	35 year old male killed 39 year old Wife
Quincy SP	412023132	35 year old male killed 20 year old Stepdaughter
Raleigh Co. SO	2006-54399	24 year old male killed 25 year old Girlfriend

**15 Men Killed 16 Females including:
8 Wives 5 Girlfriends
1 Daughter 2 Stepdaughters**

MEN KILLERS OF MALES & FEMALE KILLERS OF FEMALES

	<i>Case #</i>	
Harrison Co. SO	0625230	65 year old male killed 51 year old Brother
Harrison Co. SO	0678559	51 year old male killed 47 year old male In-law
Kanawha Co. SO	06062421	44 year old male killed 57 year old male family member
Kanawha Co. SO	06123114	57 year old male killed 30 year old male In-law
Kearneysville SP	211030981	49 year old male killed 26 year old Son
Kearneysville SP	211030981	49 year old male killed 24 year old Son
Shepherd College SC	0609001	49 year old male killed 24 year old Brother
Shepherd College SC	0609001	49 year old male killed 26 year old Brother
Union SP	63303744	62 year old male killed 83 year old Stepfather
Lewisburg SP	63109797	19 year old male killed <u>1 year old Infant Son</u>
Princeton SP	641024458	56 year old female killed 73 year old Female Family Mem.

7 Men killed 9 males including:

3 Brothers

2 Sons

2 Male In-laws

1 Stepfather

1 other male family member

1 Woman killed adult female family member

TOTAL 18 FEMALES DEAD

18 MALES DEAD