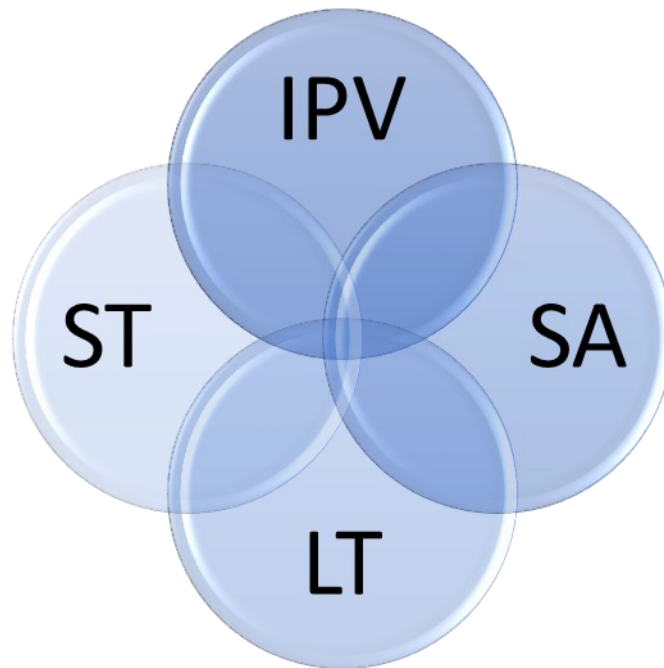


# A COLLABORATIVE, INTERSECTIONAL APPROACH TO GENDER-BASED VIOLENCE



## Initial Report on Victim Needs Screening Tool Project



# Background

## Project Development and Purpose

Violence against women can take many forms and generate complex intersections. Providing trauma-informed, victim-centered, and empowerment-based support requires screening for, and addressing, different types and intersections of victimization. Community Solutions' *Solutions to Violence* Division is committed to upholding a collaborative and intersectional approach to gender-based violence. Our confidential shelter *La Isla Pacifica* (the Peaceful Island) has provided a safe refuge to victims of intimate partner abuse (IPA) and their children since 1978. In 1985, we extended services to sexual assault (SA) survivors residing in South Santa Clara County. In late 2003, Community Solutions broadened victim services to include human trafficking (HT) support, and co-founded the *South Bay Coalition to End Human Trafficking* (Coalition).

Passage of the Trafficking Victims Protection Act (TVAP) in 2000 provided an impetus for federal and local law enforcement agencies across the country to investigate and prosecute severe forms of sex and labor trafficking. The Coalition was formed in response to the need for crisis and advocacy services for foreign born human trafficking survivors identified by law enforcement agencies. While supporting foreign born sex trafficking survivors identified by federal law enforcement agencies (e.g. Lakireddy Bali Reddy and Operation Gilded Cage), service providers realized that many of our

domestic violence and/or sexual assault clients were also victims of human trafficking. Victims like Maria\*, an 18-year-old woman from Oaxaca that was sold by her father to a man almost three times her age when she was only 14 years old.

Since the Coalition's inception, confidential advocates have worked together to provide culturally and linguistically responsive services to human trafficking victims in the south bay. Due to our existing structures, programs, networks and counselor/victim confidential communication privilege, domestic violence/sexual assault agencies are uniquely positioned to support human trafficking victims.

This collaboration was made possible due to existing relationships under the Domestic Violence Advocacy Consortium (DVAC). All DVAC agencies routinely screen for intimate partner abuse. Community Solutions and the YWCA of Silicon Valley screen for sexual assault. Most DVAC agencies established informal human trafficking screening processes. However, there was no formal process or tool in place to screen DVAC clients for all three types of victimizations. Comprehensive screening ensures that victims are promptly connected to the appropriate services, benefits, protections, and legal remedies they are entitled to.

*\*All client names in this document have been changed to protect client confidentiality*

# Background

***“My ex-partner promised me a happy marriage if I moved from Mexico to the U.S. to be with him. After arriving, I learned he was already married. I was stuck. For over a year, he abused me physically, sexually, and emotionally. He forced me to work in his business for no pay.”***

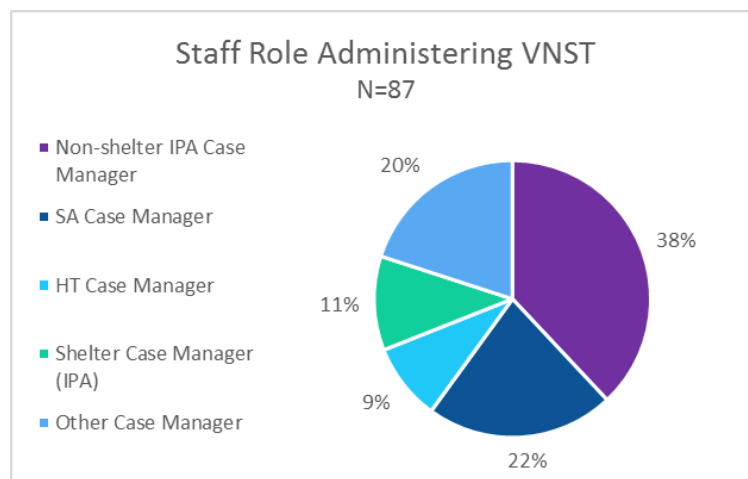
**- Survivor**

## Victim Needs Screening Tool

In 2015, Community Solutions spearheaded the development of the *Victim Needs Screening Tool (VNST)*. The purpose of the VNST is to give service providers a screening tool that can identify the three common forms and intersections of gender-based violence: intimate partner abuse, sexual assault, and human trafficking; and to ensure that individuals are promptly connected to *all* of the services for which they are eligible. Several members of the Coalition Victim Services Committee worked to develop the VNST over the course of almost two years. In late 2017, Community Solutions launched the VNST through a three hour training for victim service providers. Since then, we have conducted several trainings—including a webinar through Futures Without Violence that included over 300 participants from across the country. Our goal is to train all Santa Clara County victim service providers to administer the VNST. In early 2019, DVAC developed a condensed five-question VNST for Santa Clara County Continuum of Care (COC) housing providers and is current working with COC leadership to develop and implement trainings on this condensed VNST.

Community Solutions has fully incorporated the VNST into case management documentation requirements for intimate partner abuse, sexual assault, and human trafficking staff. Between August 2018 to February 2019, Community Solutions staff completed 97 VNSTs. The VNST was offered

to all open intimate partner abuse, sexual assault, and human trafficking clients.



# Victim Needs Screening Tool

## Case Study Question

Eighteen-year-old Casimira was referred to Community Solutions by a San Benito County Public Health Nurse. Casimira had disclosed to the nurse that she was hiding from her abusive partner. After talking to Casimira, the Community Solutions advocate discovered that when Casimira was 14 years old and living in Oaxaca, Mexico her father sold her to a man in his 40s. The man took Casimira to Atlanta, GA and proceeded to physically, sexually, and emotionally abuse her for years. Casimira learned to speak Spanish when she was 17 years old. Prior to that, she only spoke Triqui, a Oaxacan dialect.

Is Casimira a potential victim of ☐ IPA, ☐ SA, ☐ HT, or ☐ all three?

## Purpose

The purpose of the Victim Needs Screening Tool (VNST) is not to establish that an individual **is or has been** a victim of domestic violence, sexual assault, or human trafficking but rather to identify that they **may be or may have been** a victim/survivor of these crimes and then to connect them with a confidential advocate or attorney who can provide a thorough assessment and comprehensive support. The VNST is available in English and Spanish. It should only be used with adults ages 18 and older.

## Definitions

In the context of this document, **intimate partner abuse (IPA)** is defined as a pattern of abusive behaviors exerted by one individual in order to control or exercise power over his/her partner in the context of an intimate relationship. Abusive behaviors can be actual or threatened physical, sexual, financial, psychological, emotional, or stalking by an intimate partner or former intimate partner. An intimate partner can be a current or former spouse or non-marital partner, such as a boyfriend, girlfriend, or dating partner (Saltzman, et al., 1999). Intimate partners can be of the same or opposite sex (National Center for Injury Prevention and Control, 2002).

For the purposes of this document, **sexual assault (SA)** includes any nonconsensual completed or attempted penetration of the vagina or anus, nonconsensual completed or attempted oral sex, nonconsensual intentional touching of a sexual nature, or nonconsensual non-contact acts of a sexual nature such as voyeurism and verbal or behavioral sexual harassment. Sexual violence can be perpetrated by anyone, such as a friend/acquaintance, a current or former spouse/partner, a family member, or a stranger (Basile and Saltzman, 2002).

# Victim Needs Screening Tool

The Trafficking Victim Protection Act defines **human trafficking (HT)** as:

## Labor Trafficking

The recruitment, harboring, transportation, provision, or obtaining of person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

## Sex Trafficking

The recruitment, harboring, transportation, provision, or obtaining of person for the purpose of a commercial sex act where such act is induced by force, fraud, or coercion, or where the person induced to perform such act has not attained 18 years of age. (22 U.S.C. 7102 - The full text of the Victims of Trafficking and Violence Prevention Act of 2000 can be found at [www.usdoj.gov/vawo/laws/vawo2000/](http://www.usdoj.gov/vawo/laws/vawo2000/) under 22 U.S.C. 7102)

**Trauma-Informed Care** is an approach to engaging people with histories of trauma that recognizes the presence of trauma symptoms and acknowledges the role that trauma has played in their lives. (National Center for Trauma Informed Care (NCTIC), [www.samsha.gov/nctic](http://www.samsha.gov/nctic), 2013).

Ensuring **Victim/Survivor-Centered** services refers to the provision of culturally appropriate and immediately available services based on the unique needs and circumstances of victims and survivors. Services are specific, client-focused and driven by the individuals impacted by the abuse/assault/exploitation. (Washington Coalition of Sexual Assault Programs).

## Case Study Question

Twenty-eight-year-old Aesha was referred to Community Solutions by the Sunnyvale Police Department. Aesha had moved to Sunnyvale from India several months prior to join her husband. Aesha held a Master's degree in Engineering and her husband assured her she could continue her career in the U.S. Shortly after arriving in Sunnyvale, Aesha discovered that her husband had a fiancé and that he brought Aesha to the U.S. to serve as his domestic servant and caretaker for his elderly parents. Aesha's husband and his parents repeatedly berated and beat her. Her husband controlled all of her movements.

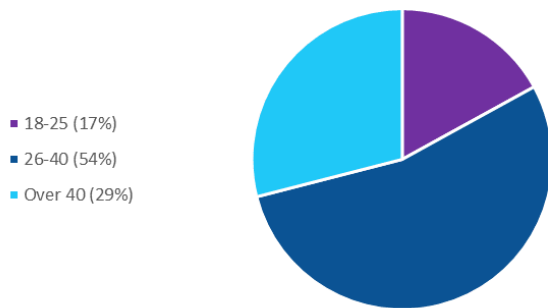
Is Aesha a potential victim of ☐ IPA, ☐ SA, ☐ HT, or ☐ all three?

# Findings

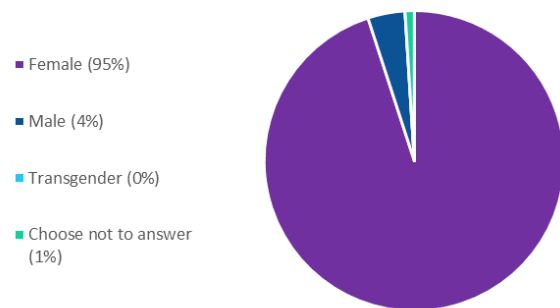
## Demographics

Community Solutions is committed to providing culturally and linguistically responsive services for survivors of intimate partner abuse, sexual assault, and human trafficking. Every year, our Solutions to Violence programs provide comprehensive services to roughly 900 survivors of intimate partner abuse, approximately 150 sexual assault survivors, and an average of 100 human trafficking survivors. Additionally, we provide one-time crisis support to approximately 300 intimate partner abuse survivors, 50 sexual assault survivors, and about 40 confirmed or potential human trafficking survivors. Potential human trafficking survivor refers to minors and transitional age youth identified as at risk or suspected victims of domestic sex trafficking. Our staff reflects our client base's demographical makeup. Fifty one of the 97 individuals surveyed acknowledged English as their primary language, while 36 identified as Spanish-speakers. Six individuals declined to state their primary language. Seventy-two percent (72%) of participants identified as Latino, 20% as Caucasian, 1% Native American, 1% Pacific Islander, and 6% as other. The participants were asked to specify their gender identity, sexual orientation, and age group as well.

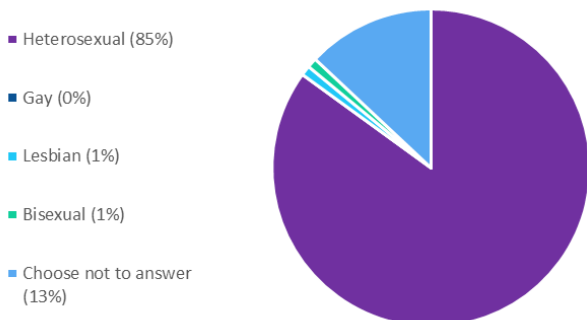
Age of Individuals Screened  
N=94



Gender of Individuals Screened  
N=94



Sexual Orientation of Individuals Screened  
N=94



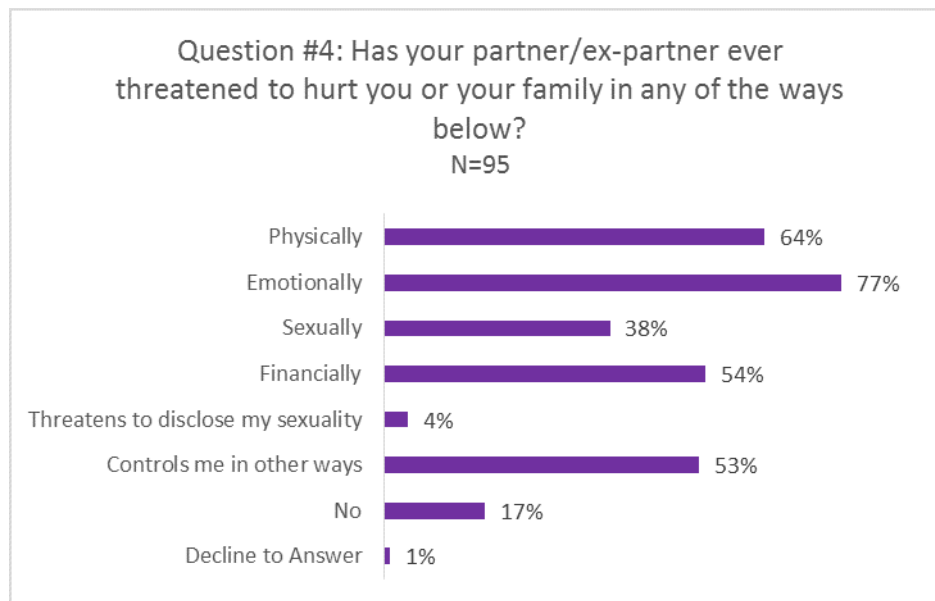
# Findings

## Intersection/General Safety

With regards to questions on general safety, twenty six percent (26%) of the 97 individuals surveyed reported that they did not feel safe at home/the place they were currently staying. Thirty one percent (31%) stated they did not have a safe place to stay. Forty six percent (46%) reported that they were being hurt (either physically, emotionally, or sexually) by a person they know.

## Domestic Violence (DV)/Intimate Partner Abuse (IPA)

Community Solutions routinely surveys intimate partner abuse (IPA) survivors residing in our confidential shelter regarding the types of abuse they suffered at the hands of their current/former intimate partner. Almost 40% of IPA survivors report being sexually assaulted by their current/former intimate partner. This data point highlights the importance of funding flexibility that allows for support across victimization types. Current funding sources require that we serve survivors based on the type of victimization they endured. IPA survivors that identify sexual violence as one of the control tactics used by their batterers are offered a separate sexual assault advocate. Having two advocates can be confusing for survivors, as they have to frequently distinguish the purpose and scope of each advocate.





# Victim Needs Screening Tool

## Case Study Question

Cindy sought refuge in Community Solutions' confidential shelter *La Isla Pacifica* (the Peaceful Island) after suffering a severe beating at the hands of her boyfriend, Greg. When they first met, Greg was really sweet and generous. Then he began beating Cindy and coercing her into sleeping with other men for money. When she refused, he would beat her or kick her out of their apartment. Prior to meeting Greg, 33-year-old Cindy was attending junior college and wanted to pursue a career in nursing or cosmetology.

Is Cindy a potential victim of ☐ IPA, ☐ SA, ☐ HT, or ☐ all three?

## Intersection/General Safety Questions: Questions 1, 2, 3

The first three questions on the Victim Needs Screening Tool (VNST) are intended to ascertain if the individual is in immediate danger or in need of crisis services – particularly emergency shelter. Question 2 specifically asks if the individual has a safe place to live.

## Domestic Violence (DV)/Intimate Partner Abuse (IPA): Questions 4, 5, 6

Questions 4, 5, and 6 are meant to identify any current or past intimate partner abuse. Question 4 specifically asks whether the individual's current or ex-partner ever hurt or threatened to hurt the individual physically, emotionally, sexually, financially; controls the individual in other ways; or has threatened to disclose the individual's sexuality. Checking of any of these options could be an indicator of past or present IPA.

Question 5 asks if the individual has control of her/his personal belongings. A no answer could indicate that the individual is being controlled, perhaps by her/his intimate partner or an exploiter.

Question 6 asks if the individual's contact with family or friends is controlled, limited, or denied. If the individual checks controlled, limited, or denied, this could be an indication that the individual is being abused by an intimate partner or an exploiter.

## Human/Labor Trafficking (HT): Questions 7, 8, 9, 10, 11, 12

Questions 7, 8, 9, 10, 11, and 12 are designed to identify potential instances of labor trafficking or wage theft. The purpose of these questions is to ascertain if the individual was potentially put into a situation, through the use of force, fraud, or coercion, where she/he was exploited for labor.



# Victim Needs Screening Tool

## Sexual Assault (SA): Questions 13, 14, 15

Questions 13, 14, and 15 were included to identify potential cases of sexual assault and/or sexual exploitation. These questions may be especially difficult for individuals to answer. Please ensure individuals understand they do not have to answer any question that they do not feel comfortable answering.

Questions 16, 17, 18, 19, and 20 allow the client to identify their age group, gender, sexual orientation, race/ethnicity, and preferred language. The items related to age (Question 16), race/ethnicity (Question 19), and language (Question 20) are multiple choice responses. The items related to gender (Question 17) and sexual orientation (Question 18) are to be filled-in by the individual. This demographic information will be used to ensure each individual seeking supportive services is connected to a service provider that best fits the individual's cultural and linguistic needs. Also, client demographics will be kept in aggregate form to identify the need for services to particular groups.

Following the client questions is a section for staff to enter their information (name, title, program), score the tool, and indicate which referrals were offered/provided to the client. Upon completing the VNST, the case manager will determine if the individual requires immediate services (e.g. shelter) or a warm handoff. Additionally, the client's copy of the VNST includes a summary of the local IPA/SA/HT victim service providers and legal service providers. Individuals can opt to reach out to providers directly in lieu of a warm handoff.

## Case Study Question

Forty-four-year-old Viviana walked into Community Solutions' Morgan Hill office looking for support after Jorge, her abusive partner, threatened to use the legal process to obtain full custody of their one-year-old son and have her deported. Viviana shared that Jorge had been her high school sweetheart in Mexico. After decades of not hearing from him, he reached out and they began a long-distance relationship. Eventually, Jorge convinced Viviana to move to the U.S. and marry him. When she arrived, she found out that he was already married. He then began physically, sexually, and emotionally abusing her. He pressured her to work for free at his janitorial business. She had no friends or family in the area.

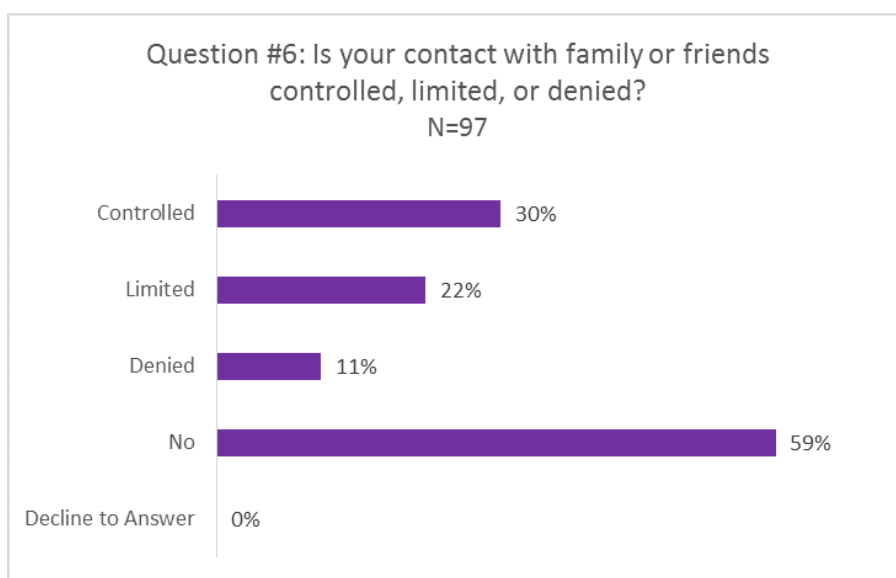
Is Viviana a potential victim of ☐ IPA, ☐ SA, ☐ HT, or ☐ all three?

# Findings

## Controlling Tactics

Intimate partner abuse, sexual assault, and human trafficking are distinct and nuanced crimes. However, as with all forms of gender-based violence, these crimes are rooted in power and control. Often perpetrators of intimate partner abuse, sexual assault, and human trafficking use similar tactics to exert and maintain power and control over their victims. One of these tactics is isolation. Forty one percent (41%) of the individuals surveyed stated that their contact with family or friends was either limited, controlled, or denied. When asked if someone other than them (an employer, partner, etc.) decides either “where you work, when you work, how long you work, when you leave your job, where you live, how you get to work,” 27% responded that someone else made at least one of those decisions for them. Ten percent (10%) of the individuals surveyed stated that they did not have control over their personal belongings and/or identification documents, such as IDs or passports.

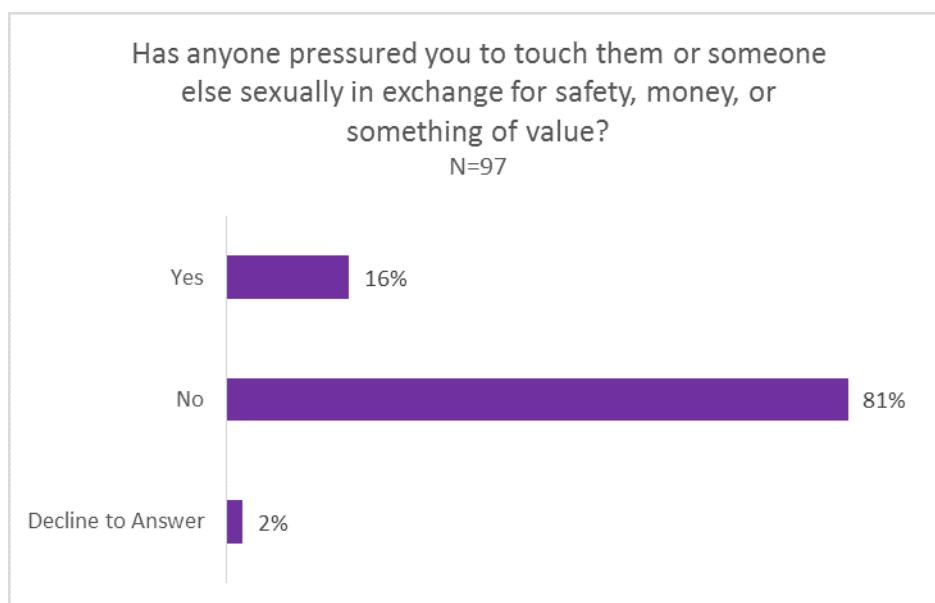
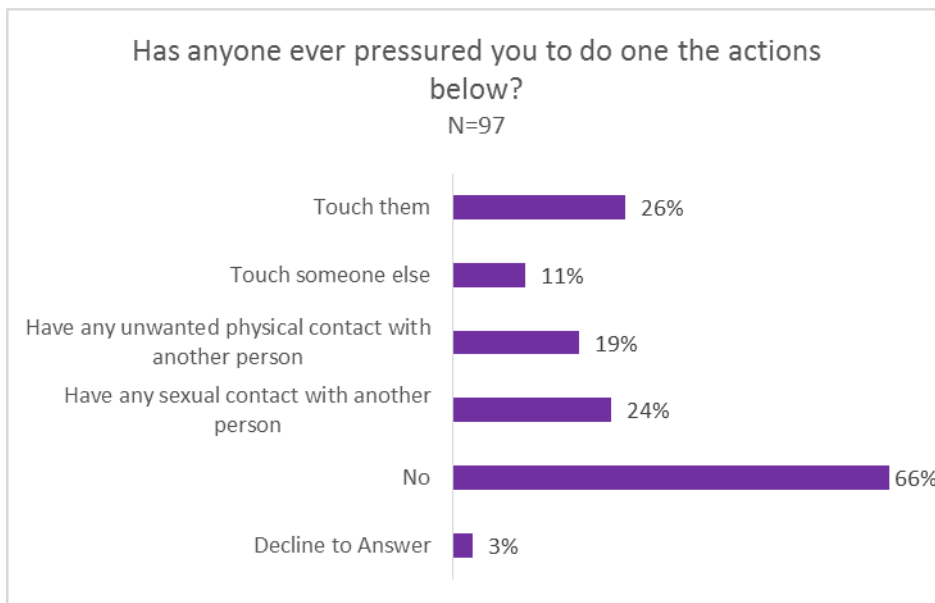
When asked about threats made by an employer, 5% reported that their employer had threatened deportation and 7% reported employers threatening physical violence. Nine percent (9%) reported not being allowed access to necessities (bathroom, food) by their employer. Three percent (3%) reported that their employers threatened to contact CPS and 5% declined to answer the question.



# Findings

## Sexual Assault

Twenty two percent (22%) of the Victim Needs Screening Tools (VNST) were administered by sexual assault advocates. However, 45% of all individuals surveyed reported that they had experienced sexual contact (touching or non-touching) that they did not want or that made them feel uncomfortable. Participants also reported being pressured into sexual activities, sometimes in exchange for safety, money, food, or shelter.



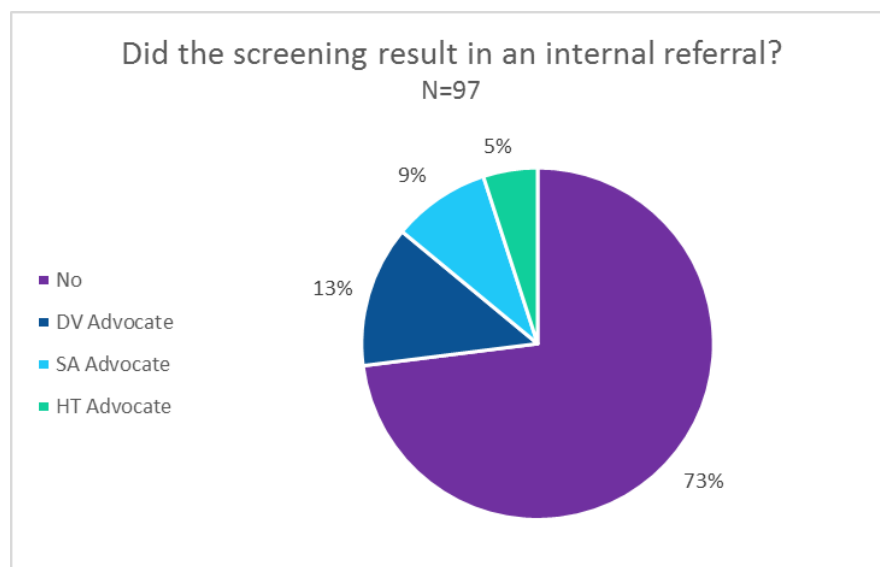
# Findings

***“Using the screening tool early on allows me to identify different types of trauma my clients may have endured, and consequently offer additional supportive services in response to their needs.”***

***Erica Leon, Human Trafficking Program Coordinator***

## Internal Referrals

The primary purpose of the Victim Needs Screening Tool (VNST) is to identify different forms and intersections of gender-based violence and to ensure that survivors are connected to additional internal and external services in response to their needs. Community Solutions’ *Solutions to Violence* programs provide crisis intervention, advocacy, and supportive services to survivors of intimate partner abuse, sexual assault, and human trafficking. Client participation in any of the *Solutions to Violence* advocacy programs is voluntary. Because of the trauma that they have experienced and other competing priorities, survivors may opt to focus on the primary presenting issue and not avail themselves of additional supportive services until a later date. Advocates administering the VNST are asked to report whether administering the VNST resulted in additional internal referrals. Information provided by case managers administering the VNST shows that 27% of the individuals surveyed accepted an internal referral to another *Solutions to Violence* program.



# Next Steps

## Confidential Victim Service Providers

Santa Clara County is fortunate to have five confidential intimate partner abuse (IPA) service providers (Asian Americans For Community Involvement (AACI), Community Solutions, Maitri, Next Door, and the YWCA of Silicon Valley). Two of the organizations (Community Solutions and the YWCA) are also certified sexual assault (SA) service providers. AACI, Community Solutions and the YWCA collaborate on four grants to provide human trafficking (HT) services. Community Solutions is the lead and fiscal agent on three of the four grants. The Victim Needs Screening Tool (VNST) was originally created *by* confidential advocates *for* confidential advocates. Our goal is to ensure that all Santa Clara County IPA providers are screening for sexual assault and human trafficking. Over the past year, Community Solutions has provided trainings on the VNST to AACI and YWCA advocates. We will continue to work with IPA providers to ensure that advocates are trained to screen for IPA, SA and HT and prepared to link survivors to internal and external support as requested. Community Solutions has created a Survey Monkey tool for the VNST that allows advocates to enter the information electronically.

Community Solutions has also offered to provide training on the VNST to regional IPA, SA, and HT service providers. In early April 2019, we launched the VNST nationally through a Futures Without Violence webinar. The webinar was well received and several local (Oakland, San Francisco) and national organizations requested authorization to use the VNST in their regions.

## Housing/Continuum of Care Providers

The Domestic Violence Advocacy Consortium (DVAC) adapted the VNST for the Continuum of Care (COC) housing providers. The condensed VNST has five questions to identify potential IPA, SA, and/or HT. Additionally, we provided an implementation guideline and will be working with the COC system to provide monthly trainings on the VNST. The purpose of the adapted VNST is for COCs to ensure that potential IPA, SA, and HT survivors are entered into the confidential queue. Additionally, COC staff will be trained to connect individuals to confidential IPA/SA/HT services as needed.

## Law Enforcement

Through an Office on Violence Against Women (OVW) grant, Community Solutions is partnering with the San Jose Police Department and YWCA to develop a screening tool to identify potential intersections of sexual assault and sex trafficking. Community Solutions will complete the tool and work with San Jose Police Department representatives to develop a train the trainer curriculum.

# Recommendations

## Screening , Internal and External Referrals

Providing trauma-informed, victim-centered, empowerment-based, and culturally responsive services begins with comprehensive screening. Identifying all of the potential services, protections, benefits, and remedies a survivor is entitled to early on promotes prompt connection and referrals to internal and external supportive services. As mentioned in the report, 27% of the 97 individuals screened were referred to additional services (IPA = 13%, SA = 9%, and HT = 5%).

While the power and control tactics utilized and the traumatic effects produced may be similar, each type of abuse is nuanced and includes distinct legal remedies. For example, passage of the TVPA introduced two temporary visas for victims of crime; the T and the UVisa. Both visas are valid for four years and visa holders can adjust their status to legal permanent residents after holding the visa for three years. Foreign born human trafficking victims may be entitled to a TVisa and Continued Presence, as well as state and federal social service benefits that include temporary medical, cash aid, and food assistance. Domestic violence or sexual assault survivors applying under the UVisa are not entitled to these benefits. Because there is no wait period for TVisas, applicants will typically receive their work permit and certification in approximately one year. On the other hand, UVisa applicants will have to wait an average of four years to receive a work permit and an additional four to six years for the visa. Once they receive the UVisa, they will have to wait three years to adjust to legal permanent resident. Not having a work permit puts individuals at risk for further exploitation, wage theft, and often homelessness.

### Recommendations:

- ☐ Service providers should incorporate intersectional screening for all open clients over the age of 18 as part of their case management process.
- ☐ Service providers should develop and implement systems for inter-agency referrals to IPA, SA, or HT Services; or develop partnerships with external organizations for services not provided in-house.
- ☐ Service providers should develop partnerships with legal service providers to address common legal needs of IPA/SA/HT survivors, including: immigration, family law, employment law, housing, and benefits.
- ☐ The VNST should be adapted for non-confidential service providers to increase identification of IPA, SA, and HT across Santa Clara County.

# Recommendations

## Funding

The Solutions to Violence Division provides comprehensive support to an average of 1,200 survivors every year (900 IPA, 150 SA, and 100 HT). Results from the 97 VNSTs administered demonstrate that intersectional screening resulted in roughly 27 internal referrals for additional services. Roughly 22% of survivors screened requested IPA and SA services; 3% requested IPA and HT services and 2% requested HT and SA services. Additionally, 38% of IPA survivors screened reported being sexually assaulted by their current or former intimate partner. Based on this data, we can project that at approximately 20% of the 1,200 survivors served every year (240 individuals) will request at least two types of advocacy services (IPA/SA, IPA/HT, or SA/HT); and that approximately 3% (36 individuals) will require all three advocacy services—IPA, SA, and HT.

Meeting individuals where they are, and addressing the different forms of abuse they have endured, is key to providing trauma-informed and victim-centered services. Unfortunately, prescriptive funding sources often compel service providers to treat different victimization types (IPA, SA, HT) as dichotomies or issues that are mutually exclusive of each other. As a result, survivors often have to be referred to more than one advocates based on their victimization. This can be overwhelming and confusing for survivors and advocates. Our goal is to shift away from this paradigm and towards a collaborative and intersectional approach to IPA, SA, and HT. Flexibility in funding would allow advocates to work comprehensively with survivors without sacrificing quality in services.

### Recommendations:

- ☐ Funders should provide more flexibility in funding to allow service providers to work with individuals across victimization types.
- ☐ Service providers should train staff to identify and address IPA, SA, and HT. Given the high prevalence of sexual assault in abusive relationships, IPA service providers should receive training in sexual assault.
- ☐ In Santa Clara County, there is no local funding for sexual assault survivors. Given the prevalence of sexual assault, local governmental entities should prioritize funding for sexual assault services.