

**Testimony of Stephanie Westman
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**Before the Committee on the Judiciary and Public Safety
Council of the District of Columbia**

**Performance Oversight Hearing
Regarding the Office of Victim Services and Justice Grants**

February 27, 2020

The Legal Aid Society of the District of Columbia¹ submits testimony in support of the Office of Victim Services and Justice Grants (“OVSJG”), which provides critical support for domestic violence survivors in the District. With OVSJG’s support, Legal Aid is able to provide holistic legal services to domestic violence survivors in the District, ranging from legal advice on a discrete legal issue to full representation in court for Civil Protection Order (“CPO”) trials, related custody matters, and more. Legal Aid also partners with other members of the Victim Assistance Network to ensure that survivors receive holistic services that address their legal and other needs.

Before continuing with our testimony, I would like to note that Legal Aid is also the recipient of a significant amount of funding from both the Access to Justice Grants program and the Civil Legal Counsel Projects Program, and that Legal Aid lawyers are beneficiaries of the Poverty Lawyers Loan Repayment Assistance Program. Each of these programs is administered professionally by the D.C. Bar Foundation with funding from OVSJG. The funds play a critical role in Legal Aid's ability to provide high-quality legal services to survivors of domestic violence and others living in poverty in the District. However, our testimony today will focus on the specific needs of survivors of domestic violence and the vital role that OVSJG plays in making key supports available.

¹ The Legal Aid Society of the District of Columbia was formed in 1932 to “provide legal aid and counsel to indigent persons in civil law matters and to encourage measures by which the law may better protect and serve their needs.” Legal Aid is the oldest and largest general civil legal services program in the District of Columbia. Over the last 88 years, Legal Aid staff and volunteers have been making justice real – in individual and systemic ways – for tens of thousands of persons living in poverty in the District. The largest part of our work is comprised of individual representation in housing, domestic violence/family, public benefits, and consumer law. We also work on immigration law matters and help individuals with the collateral consequences of their involvement with the criminal justice system. From the experiences of our clients, we identify opportunities for court and law reform, public policy advocacy, and systemic litigation. More information about Legal Aid can be obtained from our website, www.LegalAidDC.org, and our blog, www.MakingJusticeReal.org.

The generous support Legal Aid receives through OVSJG enables us to offer much needed assistance to low-income domestic violence survivors through our Domestic Violence Victims Representation Project at the Domestic Violence Intake Center Southeast (“DVIC-SE”), which is located in the United Medical Center. My colleagues and I advise and represent domestic violence survivors not only in CPO matters, but often also with their related family law matters such as child custody, child support, visitation, and divorce. In addition, we identify other legal needs for our clients – such as immigration and public benefits issues – and refer them to colleagues either at Legal Aid or at other providers within the Victim Legal Network. Many of those who come to the DVIC-SE – and all of Legal Aid’s clients – are low-income. While we serve survivors from all wards of the District, the DVIC-SE primarily serves residents from Wards 7 and 8, the two wards with the highest concentration of poverty.

For many low-income domestic violence survivors, the DVIC-SE is an indispensable resource. They can meet with a Court clerk to file for a protection order; file a police report with an officer from the Metropolitan Police Department; secure shelter housing through the Crime Victims Compensation Program; receive safety planning and other support services from SAFE (“Survivors and Advocates for Empowerment”); and meet with a Legal Aid attorney to receive legal assistance with their CPO case and related legal matters. The DVIC-SE effectively serves as a “one-stop shop” for domestic violence survivors. Legal Aid has been part of the DVIC-SE since 2003, and each year we provide legal services to hundreds of clients that we meet through the DVIC-SE. In total, the DVIC-SE served nearly 3,000 people in 2019.

I would like to share a brief story to highlight the important services that Legal Aid provides to survivors in the District and, by extension, why OVSJG’s support is so important. Kiara Smith (whose name we have changed to protect her identity) came to the DVIC-SE after her abusive boyfriend grabbed her, pushed her down, put both hands around her throat and strangled her, and then destroyed her phone. Ms. Smith had a year-long CPO against her boyfriend in the past, but it had since expired. At the DVIC-SE, Ms. Smith was able to connect with a Legal Aid attorney who was by her side as she faced many challenges in obtaining a new CPO and keeping her abuser out of her life.

After Ms. Smith petitioned the court for a CPO, she faced difficulty serving her abuser with the paperwork for the CPO, which is a necessary step to obtain a one-year-order. Ms. Smith was especially frustrated by this hurdle because her abuser kept contacting her and harassing her on social media, but she couldn’t physically find him to serve him. She was forced to change her personal accounts numerous times to try and prevent contact, but each time he found her. With the assistance of her Legal Aid attorney, Ms. Smith was able to obtain permission from the Court to serve her abuser through the same means by which he was harassing her - social media. Legal Aid then assisted Ms. Smith with serving her abuser, proving that service to the court, and subsequently with obtaining a year-long CPO.

Legal Aid was also there to advise Ms. Smith on how to obtain a security camera system for her home through the Crime Victims Compensation Program. This turned out to be a critical resource. After Ms. Smith was granted her CPO, her abuser continued to contact her and even came to her home. In fact, he came to her home on an almost daily basis. He left flowers on her car on multiple occasions and once a four-page handwritten letter. Although he fled the scene,

Ms. Smith's security camera captured her abuser's behavior. He was later arrested and is currently being prosecuted for multiple domestic violence offenses against her. Due to her brave perseverance and the help of her Legal Aid attorney, Ms. Smith can now finally feel a sense of safety and security.

Without the funding provided by OVSJG for the DVIC-SE, this particular survivor would not have been able to obtain a CPO or access the holistic and critical services provided at the DVIC-SE and by Legal Aid. The DVIC-SE is an invaluable resource for our rapidly increasing client population, because it provides a myriad of services in one location, more conveniently located for residents of Wards 7 and 8. It is also a venue where survivors can feel comfortable discussing their domestic violence-related concerns.

In our testimony last year we noted that one of the biggest challenges survivors face after leaving an abuser is finding housing. We note again that the need for temporary and permanent housing for domestic violence survivors is pressing, and unfortunately that need sometimes goes unmet. Short-term safe housing offered to survivors may not even last the duration of a CPO case, and finding affordable long-term housing options can take time. When leaving an abuser, survivors have to worry about court hearings, child care, income, and safety; concerns about having a roof over their heads should not be on that list. Without sufficient resources, survivors may have no choice but to return to their abusers for shelter. The support of the D.C. Council and the valuable funding that OVSJG provides is vital as survivors facing the threat of violence need safe places to live.

Conclusion

Thank you for the opportunity to submit this testimony and share with you Legal Aid's positive experiences working with OVSJG to provide support and services to victims of domestic violence. We ask that the D.C. Council and the Administration continue to support the critical role OVSJG plays in the funding of core services for domestic violence survivors.