Reports from the Field:
An Economic Policy & Leadership Series

Survivors of Violence & Economic Security: Focus on Policy Advocacy Inclusion

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Introduction

Economic security and violence against women are deeply connected across communities. Especially in our current challenged economy, we witness the disproportionate impact of economic inequities on survivors of color, Tribal survivors, and our communities. Along with access to food, housing, and safety, access to economic opportunity and security is necessary for self-sufficiency. Within this economic landscape, the Women of Color Network (WOCN) seeks to ensure that the economic security challenges facing women of color and Tribal survivors are examined and addressed so that all survivors can be supported and reached effectively.

In this time of economic crisis, many anti-violence programs have been forced to roll back services. The needs of under-represented communities may be unintentionally overlooked or even disregarded as too complex to address – leading to a further **need for a stronger safety net for survivors of color and Tribal communities**. Simultaneously, we see that culturally specific organizations and Tribal programs continue to serve survivors with innovative responses that respond to economic security needs.

During this period of economic crisis, **WOCN aims to ensure a safety net for all survivors, leadership of advocates of color and Tribal advocates, and a voice for our communities**. From 2011-2013, through the Economic Policy & Leadership Project, WOCN documented how diverse survivors are affected by economic factors as well as promising methods of response. This series of five reports from the field emerges from WOCN forums where Tribal and women of color advocates from the fields of violence against women, social justice, and economic justice shared challenges and recommendations for survivor support in relation to economic security. Through these field reports, we give voice to the expertise of on-the-ground advocates to support Tribal advocates & advocates of color and their allies – including other advocates, local/state programs, and policy partners – in furthering more effective program development and response within domestic violence and sexual assault programs. Through understanding specific needs and advancing the recommendations in these field reports, advocates, programs, institutions, and policymakers can better remove barriers and improve access while building a better understanding of the intersection of communities of color and Tribal communities, domestic violence and sexual assault, and economic security. Furthermore, these reports can inform policy

conversations and policymakers in shaping policies more effectively for our communities. Finally, these reports demonstrate the advocacy leadership of Tribal and women of color advocates – and the power of their voices.

Defining the Economic Needs of Diverse Survivors

In 2011, WOCN convened the National Women of Color Economic Policy and Leadership Summit, comprising participants from across the United States and Tribal sovereign nations to ask, **"What are the economic needs of survivors from our communities and how do we ensure a safety net and support?"** Based on advocate input from the 2011 National Summit, WOCN identified two overarching areas vital to the economic security of women of color and Tribal survivors: **(1), the need for strengthening institutional services** to challenge external, systemic, and internal racism & bias to ensure inclusivity as well as **(2), the importance of policy education, development, and advocacy** to better reach and serve our communities. Moreover, the 2011 National Summit attendees delineated three policy issues requiring specific attention: **(3), reentry populations; (4) sexual assault of Tribal women;** and, **(5) access to T- and U-Visas for undocumented survivors**.

Subsequent to the 2011 National Summit, WOCN held three Women of Color Regional Forums in 2013 to gather information and recommendations to reduce economic marginalization in the above five arenas. These events were hosted by the Women of Color Network and funded by the Office on Violence Against Women.

Reflecting the expertise of advocates, activists, and survivors, this issue report from the field examines the overarching need for inclusion of education on policy issues, development of policy advocacy skills, and policy advocacy in our work. This field report provides recommendations to further organizational and legislative policies that support the safety and economic security of all Tribal and women of color survivors. Along with personal accounts and field advocacy, this valuable information can work alongside national data to build economic security and safety of ALL communities, families, and survivors.

Voices from the Field

Given the on-the-ground expertise of Tribal and women of color advocates, we start with their powerful voices. Here are some of the key frameworks, barriers, and solutions in reference to how education on policy matters, advocacy skills development, and policy advocacy are salient for our work **as voiced by Tribal and women of color advocates who attended our forums**:[1]

- Education on policy issues and policy advocacy would enable more consistent survivor reporting of abuse as well as response across agencies;
- Advocates need to find a way to serve individuals who do not fall into restrictive guidelines that often frame grants, services, and programs;

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[1] The Voices from the Field section represents information gathered directly from attendees of the WOCN Economic Policy and Leadership convenings in 2011 and 2013 and are not intended to be an exhaustive list of issues facing communities. The remaining sections are based upon a survey of national research and data, and reflects the expertise of the author this report.

- Advocates need to be educated on policies so we know how to respond to misinformation or attacks on our work;
- Advocates and community organizers within marginalized communities need to understand the legal restrictions and allowances of policy advocacy and lobbying to take a more front-line approach to public education and advocacy;
- Education on policy issues and policy advocacy can enable more white women aspiring allies and men to be involved in the movement;
- In various states, as a result of effective policy advocacy, advocates enhanced sexual assault response and wellness programs for survivors in hospitals which has served to improve supports to women of color; and,
- In various states, as a result of policy advocacy, advocates enabled a law that made attempted strangulation a felony, an issue that also impacts women of color survivors.

WOCN is grateful for the vital expertise shared by Tribal and women of color advocates – expertise that forms the basis of the following identification of critical barriers and recommendations for change. In particular, it is the dedication of Tribal and women of color advocates that enabled a focus on supporting the policy needs of populations often overlooked by mainstream providers.

Context and Scope of the Barriers

Policy advocacy, which includes working to effect change both within public policy and within institutional policy, is crucial to economic justice, economic security, and the elimination of violence against women. In addition to services delivery, the development and promotion of public policies in both local and national contexts can advance short and long-term goals for social change by increasing services and funding, attracting media attention, building coalitions, and spreading awareness.

To be truly responsive, public policies require an alignment between direct service providers and policymakers. Because survivors, advocates, and allies working in the field possess the most up-to-date data and deep knowledge on the current issues affecting them and their communities, policymakers and their staffs must collaborate with advocates and allies to comprehend the needs of our communities as well as those of emerging and shifting populations. Similarly, advocates and allies must be well-versed in policies that advance survivor needs and our communities in the most effective ways.

Not knowing the specific parameters of non-profit governance and legal regulations sometimes leads to a lack of participation in public education (informing the public of a certain issue or creating awareness about community impact), policy advocacy (educating the general public or lawmakers "about the needs of your organization and the people you serve"[2]), and lobbying (actions that specifically aim to "influence legislation"[3] – whether it is grassroots lobbying

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[2] "Are Nonprofits Allowed to Advocate?", National Council on Aging. http://www.ncoa.org/public-policy-action/policy-news/are-nonprofits-allowed-to.html
[3] "Advocacy vs. Lobbying, Coalition Building, and Public Engagement", Connecticut Association of Nonprofits Advocacy/Lobbying Toolkit. Revised April 4, 2003.

through a call for action to the public, or direct lobbying, which is communication with legislators or their staffs).

Contrary to popular belief, non-profits are permitted to lobby[4] but need to report their lobbying activities at the federal and state level and comply with any restrictions attached to government funding related to its use to support lobbying activities. Federal and state tax laws provide lobbying guidelines and clear guidance for 501(c)(3) organizations.[5] As the Alliance for Justice advocacy tool, "Being A Player" explains, "The Internal Revenue Code limits the amount of lobbying activities in which section 501(c)(3) public charities may engage. Charities may choose one of two standards by which their compliance will be measured. One standard, known as the '**insubstantial part test**,' requires that 'no substantial part of a charity's activities...be carrying on propaganda or otherwise attempting to influence legislation.' If charities exceed this vague standard, they risk losing their exemptions altogether. Furthermore, when the IRS examines the lobbying activities of non-electing charities, it does not limit itself to determining the amounts spent for lobbying but instead will examine a host of 'softer' factors such as the organization's goals and success in achieving them as well as the amount of time and energy devoted to legislative matters by the charity's board and volunteers, regardless of cost. The other standard, known as the '**section 501(h) expenditure test**,' sets specific dollar limits, calculated as a percentage of a charity's total exempt purpose expenditures (*i.e.*, 20 percent of the first $500,000...), on the amount public charities electing to follow this method may spend to influence legislation without incurring penalty taxes or losing their exempt status. Congress enacted sections 501(h) and 4911 in 1976 to provide the option of an objective standard rather than the vague insubstantial part test. Unlike the insubstantial part test, the expenditure test imposes no limit on lobbying activities that do not require expenditures, such as unreimbursed lobbying activities conducted by *bona fide* volunteers. A charity wishing to be subject to the expenditure test must take the affirmative step of filing an election; charities that do not file an election are subject to the insubstantial part standard."[6] Furthermore, charitable nonprofits may spend up to 25% of the total amount of their designated lobbying budget on grassroots lobbying.[7] Additionally, for the most part, federal funds cannot be used to lobby, both at the federal and state levels.

While lobbying, whether direct or grassroots, is an attempt to influence specific legislation[8], it is not the same as educating policymakers on an issue or ensuring that the public, our

http://www.ctnonprofits.org/ctnonprofits/sites/default/files/fckeditor/file/policy/resources/AdvocacyVsLobbying.pdf

[4] "Public Charities Can Lobby: Guidelines for 501(c)(3) Public Charities." Alliance for Justice. http://bolderadvocacy.org/wp-content/uploads/2012/06/Public_Charities_Can_Lobby.pdf

[5] "FAQ." Center for Lobbying in the Public Interest. http://www.clpi.org/the-law/faq

[6] Gail M. Harmon, Jessica A. Ladd, and Eleanor A. Evans. "Being a Player: A Guide to the IRS Lobbying Regulations for Advocacy Charities." Alliance for Justice. 2011. p.3. http://bolderadvocacy.org/wp-content/uploads/2012/04/Being_A_Player.pdf

[7] "Lobbying and the Law for Nonprofits under section 501(c)3." Texas Commission on the Arts. http://www.arts.texas.gov/resources/tools-for-results/advocacy/lobbying-and-the-law-for-nonprofits-under-section-501c3/

[8] "Public Policy Advocacy: What, Why & How." The Nonprofit Association of Oregon. http://www.nonprofitoregon.org/advocacy/nonprofit_advocacy

communities, and elected officials are able to benefit from our on-the-ground expertise in serving survivors and our communities. Providing accurate information on the differences between lobbying and education is crucial to ensuring that advocates do not avoid policy education in a misguided fear of going beyond non-profit parameters.

In WOCN's work, we have witnessed that advocates have tremendous expertise regarding our communities but are not on the front lines of sharing this expertise. Often, advocates are locked out from policy tables. There are too few community organizers, advocates, and survivors involved in policy advocacy, including through offering first-hand testimony to elected officials and in front of committees, or even in engaging in grassroots or direct lobbying when possible. As a result, **there is often a disconnect between the people who are making policies and the people facing the effects of policies** that are not designed to take into account specific community needs – especially when these communities are marginalized and lack political power.

Many direct service providers and programs are also hesitant to engage survivors in policy advocacy, including sharing their experiences of what policies are working and not working, due to the critical nature of confidentiality and safety in our field. However, survivors and advocates have the necessary first-hand knowledge of gaps in systems and most clearly experience the need for rectifying these gaps via policy change.

In addition, organizations may believe that policy advocacy is not as vital as services delivery or other aspects of their work or may fear that policy advocacy will lead to donor or government scrutiny. Given these significant challenges, non-profit organizations often choose to keep focusing on direct services work but miss opportunities to shift systems, institutions, and the field so that the options for survivors and our communities are stronger and more suited to furthering survivor safety and economic security.

Recommendations for Advocates

Advocates from WOCN's forums noted the following recommendations for ensuring voices of Tribal and women of color survivors inform public policy decisions:

- Build awareness of the connections between policy advocacy and services capacity and delivery;

- Become educated on policy processes and policy matters that impact your work and constituencies;

- Implement strategies for responsibly sharing stories and data that could be useful for policy education and advocacy; and

- Share policy successes and know-how with other advocates to enable peer mentoring and field growth.

Recommendations for Programs

Advocates noted the power of anti-violence programs in fostering more responsive policy advocacy through these strategies:

- Develop culturally-appropriate organizational policies: More and more organizations are avoiding the typical "one-size fits all" approach to internal policy-making which allows us to design program policies that take into consideration factors such as ability, class, gender, race, and sexual orientation;

- Become educated on the use of social media for community mobilization and public education on your work, constituency, and policy matters;

- Organize policy task forces that can work to gather community-based information, educate, and engage their specific communities and policymakers;

- Utilize local Tribal caucuses for information-gathering, sharing, and outreach;

- Offer grassroots training programs for community members: Using a "train the trainer" model, community leaders can train community members on successful models to policy change and local empowerment techniques;

- Create talking points: Through 1-2 page talking points, fact sheets, and/or petitions, the importance of policy goals can be made clear and more effectively moved forward;

- Formulate marketing campaigns and messaging through newsletters as well as web-based and print tools to encourage policy participation in policy change and building larger coalitions;

- Develop culturally-specific public service announcements (PSAs) with community leaders, local/national celebrities, or field experts to attract the attention of individuals that have not previously engaged with an issue or movement;

- Use social media such as Facebook, Twitter, or Instagram to increase the reach of policy outreach;

- Conduct outreach at colleges and universities to increase awareness and grow coalitions to a new generation of members;

- Replicate successful models by connecting with advocates and allies that have accomplished policy gains; and

- Hold Legislative Education and/or Lobbying Days (if this falls within the organization's capacity and parameters) to convey critical information to elected officials and staff.

Recommendations for Institutions

Advocates noted that partner institutions in the anti-violence field and the fields of economic and social justice could enable effective policies through these means:

- Capture disaggregated data that demonstrate the impact of current policies on diverse communities;

- Share information across agencies serving survivors in order to lead to more effective policy development; and

- Support getting Tribal and women of color advocates at policy tables.

Recommendations for Policymakers

Advocates indicated policymakers hold a responsibility for engaging diverse voices in order to understand the on-the-ground effects of policies and can do so by adopting these recommendations:

- Invite Tribal and women of color advocates to provide education on relevant policies and community impact;

- Seek out stories of the impact of policies on communities and real people; and

- Partner with anti-violence, social justice and economic justice organizations to produce impact statements to prospective policies before they are adopted.

Conclusion

Advocates from our forums offered vital reasons why policy advocacy is important in our work. At a fundamental level, survivors will not access services in Tribal communities and communities of color if services are not seen as supportive. For example, undocumented survivors may choose not to interface with service providers if they believe their needs cannot be served and especially if they fear deportation or other harmful consequences as a result of short-sighted policies. In addition, many survivors of color may fear that service organizations will collude and support increased incarceration of men within their communities as well as actions that would jeopardize the custody of their children.

Through sound policies and awareness of such policies, we can further enhance access to services, prevention, and a unique, amplified, and empowered voice for survivors and our communities. With this powerful voice, we can mobilize increased resources and funding to support our work and goals to end violence. Last but not least, having a voice in policy advocacy and enabling larger change enables advocates to engage in self-care, a broader vision, and continue the groundbreaking work for long-term change.

More Information and Resources

The following online resources can provide further information on lobbying and advocacy, case studies, expertise, and hands-on strategies for supporting advocacy for survivors and our communities:

Alliance for Justice, Common Interests: How Unions and 501(c)(3) Organizations Can Maximize Their Power To Make Policy Change: http://bolderadvocacy.org/wp-

content/uploads/2012/05/Common-Interests_How_Unions_and_501c3_Organizations_Can_Maximize_Their_Power_To_Make_Policy_Change.pdf

Alliance for Justice, Influencing Legislation: http://bolderadvocacy.org/navigate-the-rules/influencing-legislation

Alliance for Justice, Legal Tips On Using Social Media For Advocacy: How 501(c)(3) Public Charities Can Use Social Media for Policy Change: http://bolderadvocacy.org/wp-content/uploads/2013/01/Tips_on_Using_Social_Media_for_Advocacy.pdf

Alliance for Justice, Understanding the Lobbying Disclosure Act: http://bolderadvocacy.org/wp-content/uploads/2012/09/Understanding_the_Lobbying_Disclosure_Act.pdf

Alliance for Justice, What is Lobbying Under the 501(h) Election?: http://bolderadvocacy.org/wp-content/uploads/2012/05/What_is_lobbying.pdf

Civic Engagement Project, Policy Advocacy: Getting Started, Getting Better: Brief case studies showing how five nonprofit organizations began or bettered their advocacy efforts: http://bolderadvocacy.org/wp-content/uploads/2012/01/case-studies.pdf

National Association for Sport and Physical Education, Planning a Successful Lobbying Day: http://www.aahperd.org/naspe/advocacy/governmentRelations/upload/Planning-a-Successful-Lobby-Day-web.pdf

National League for Nursing, Public Policy Advocacy Toolkit: http://www.nln.org/facultyprograms/publicpolicytoolkit/publicpolicytoolkit.htm