

NCFM-SD Activity Report July/August/September 2008

Harry Crouch has been working with Respecting Accuracy in Domestic Violence Reporting (RADAR) which is spearheaded by two founding members of the now defunct NCFM Washington D.C. chapter. NCFM's national board approved \$2,000 to run some "reform VAWA now" radio ads in conjunction with a similar effort by RADAR.

The NCFM Board approved sending Harry Crouch to Washington D.C. in August to participate in the 2008 DC Family Preservation Festival and work with RADAR. For those of you with the time and patience you can hear some of the things I said by watching four (or less) videos, which you can find by searching "Harry Crouch" at www.youtube.com. Harry met members of the RADAR steering committee and worked with 21 people from around the country who carried information about needed Violence Against Women Act reforms to each and every US Senator and Representatives' office in Washington D.C.

Phil Thalheimer, Candidate for San Diego City Council, was NCFM-SD's guest speaker at the August 28 evening meeting. When elected, Mr. Thalheimer committed to helping find a solution to what might be referred to as the "family court order no police help runaround". Meaning, the family court orders specific times and dates separated parents are to exchange or see their children. We all know that some parents frustrate such orders and alienate their children from the other parent. Here, when the affected parent calls the police to get assistance enforcing the court order the police say it's a civil matter; they can do nothing, and take the matter back to court. So, the court issues another order to be violated by the offending parent which again becomes unenforceable because the police won't help. Mr. Thalheimer seemed very interested and offered to work with us and the police in finding solutions.

NCFM-SD members Harry Crouch and John Van Doorn along with Coalition of Parent Support member Enrique Monteagudo continued their participation as members of the California Department of Child Support Citizen Advocate Advisory Committee. Enrique is a key member of the committee who has the

ear of the state representatives, most of who are department heads and directors. There are three things of particular note (1) every four years the California Judicial Council is required to review child support guidelines. They are required to do a number things including involving the Department of Child Support Services and advocates. However, they didn't even notify DCSS the last review. Enrique brought this to the attention of the DCSS's Chief Attorney who was a bit peeved and is now remedying the situation (2) we have input into the design of a new release of information form and redesign of the statewide DCSS handbook both of which has stirred considerable discussion. The newly designed information release form should allow easier and more complete access to case information while the new handbook will include information about the responsibilities of DCSS including, hopefully, specific guidelines about when DCSS is required to timely respond to various petitions and requests the latter of which may cause DCSS to become considerably more responsive (4) I brought up the prison tolling project again (suspending child support payments when incarcerated) and was told that two county offices have pilot projects. The Advocate Advisory Committee coordinator said she would get more information about the projects and put it on the agenda for our next quarterly meeting – so, it appears the effort that we started a couple of years ago is finally winding its way through the system to help those in need.

In October of 2003, President George W. Bush announced the President's Family Justice Center (FJC) Initiative (PFJCI), which is administered by the Office on Violence Against Women (OVW). The initiative was spearheaded by the San Diego City Attorney Casey Gwinn who opened the first FJC in San Diego. FJC's provided centralized services for purported domestic violence victims. Mr. Gwinn's term as City Attorney was not without considerable controversy, including a scandal involving one of Mr. Gwinn's female staffers who was a victim of considerable domestic violence. Her plight became public when it was learned that Mr. Gwinn apparently knew that she was seriously being abused for well over a year but failed to adequately protect her. Now there's another scandal involving the FJC.

Just before leaving office as City Attorney Gwinn lobbied hard the City Council to integrate the FJC into the municipal system, which they did. In so doing the City Attorney Domestic Violence Unit was deleted from the City Attorney's office and incorporated within the FJC. Needless to say the incoming City Attorney Michael Aguirre was less than pleased. But it gets worse. Gwinn after working as a part-time DV consultant for District Attorney Bonnie Dumanis was hired as the first male CEO of the local and powerful YWCA which is housed in a six story World War II building directly across the street from our Men's Center. Gwinn wants a major renovation but he needs to have some long term leases to cover the costs of renovation. Now he wants San Diego to give the FJC to the YWCA, which of course Aguirre now opposes. Not just for the financial reasons but Aguirre apparently rightly believes that housing the FJC within the YWCA by definition of advocating for women diminish whatever services are now available to men. The Major supports Gwinn's proposal. The Mayor is our previous chief of police and understands full well the power of VAWA. There's a meeting in the Majors office on October 6. I intend to be there in support of Mr. Aguirre - unbelievable political maneuvering for control of the local DV world.

On July 22, 2008, NCFM-SD Board Member and NCFM-LA Founder Marc Angelucci argued a civil rights case on the basis of anti-male gender discrimination before the Third Appellate District of California in Sacramento. In Woods et. el v. California, four male victims of domestic violence filed an equal protection challenge to various state laws, including a Health and Safety Code section (§ 12425), that define domestic violence as only being against women. They also challenged various state programs for incarcerated mothers that exclude incarcerated fathers, even though there are ten times more incarcerated fathers than mothers and many of them are sole caretakers. A decision is expected in October, Domestic Violence Month.

In August 2008, Marc successfully got the Family Court Services mediation program in San Diego County to remove gender-biased flyers from their walls. The flyers included one for "Mom" and one for "Dad." The mom flyer had instructions on how to call police and get to safety, and it said "violence

against you is against the law;" while the dad flyer had no such instructions and just said "violence is against the law." Marc complained in writing and went up the ladder until the flyers were finally removed. It turned out the flyers were written by a local feminist organization. Go figure.

From July through September 2008 Marc also had several letters published about domestic violence in various media outlets as far away as Ireland.

Harry Crouch also had a couple of articles published, the most popular of which is "Biden Babble and the Dancing Fool" (Google it if interested).

In response to an August 2007 California Supreme Court opinion, *Elkins v. Superior Court* (2007) 41 Cal.4th 1337 the Elkins Family Law Task Force was impaneled to conduct a "[C]omprehensive review of family law proceedings and recommend to the Judicial Council of California proposals that will increase access to justice, ensure due process, and provide for more effective and consistent rules, policies, and procedures... [Elkins] held that marital dissolution trials should 'proceed under the same general rules of procedure that govern other civil trials' (p. 1345). The charge of the task force is to propose measures to improve efficiency and fairness in family law proceedings and ensure access to justice for all family law litigants. NCFM-SD member and Children Rights Council San Diego President Guillermo Auad spent considerable time preparing a comprehensive submission which was received and is under consideration.

We lost one of our long term members and supporters last week, Ed G., when he remanded to federal authorities to begin serving a two year sentence. It's difficult for me to type about this. I consider Ed to be a good friend and one of the gentlest souls I know.

It all started a few years back when one day after work his key would not open the front door to his home. Ringing the door bell he waited for his wife or one of his children to open the door. Instead the door was opened by a man, his wife's lover, who was belligerent and threatening, and denied Ed access to his own home. It would take a book to explain it all but things rapidly escalated from worse to total destruction.

His wife and lover destroyed Ed's computer and business records, tried to alienate him from his children, made one false accusation after another against him. She had money, a bundle of inheritance, and spent near half a million making Ed's life as miserable as possible. He lost virtually everything but in the process tried to protect enough cash to continue working and provide for his children including \$3,600 child support payments. He had some money overseas and went to get it traveling on a false passport. He got busted coming back into the country and the Federal female prosecutor went after this first time offender of anything with unimaginable vengeance. The prosecutor was appalled that Ed was "stealing his wife's money", which of course is not the case. Most disheartening is the realization that a first offender drug runner, bank robber, or even a murder (if female) would have probably been put on federal probation. More disheartening is the absence of our good friend Ed whose life was destroyed by one spiteful woman and our Court System. Sometimes I really hate this work...

Harry Crouch
President NCFM-SD