

We envision a world free of gender-based violence, with equal opportunities for all to thrive.



ASIAN PACIFIC INSTITUTE
ON GENDER-BASED VIOLENCE

Policy Advocacy for AAPI Survivor Serving Organizations

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Policy Advocacy

Strategic Efforts to Improve Systemic Responses to Survivors*

Strategic = Planning, Thought and Analysis

Efforts = A wide spectrum of Activities, e.g., training, curriculum development, legislative, creating forms, writing papers, media work, working with advisory committees, boards, developing materials for survivors & their families, priority setting, community ed, fundraising, etc.

Systemic Responses = All systems, eg health care, legal, gov't agencies, legislature, White House/Governor/Mayor, CPS, batterers' programs, welfare office, immigration, Child Support, schools, etc.

*Jill Davies, "Introduction to Policy Advocacy and Analysis: Improving How Systems Respond to Battered Women," Building Comprehensive Solutions to Domestic Violence, NRCDV

Advocacy Driven by Survivors of Gender-Based Violence

Strategic efforts to improve systemic responses to survivors-driven by directly impacted survivors

Address:

- **Dealing with Abuser Generated Risks**
- **Dealing with Life Generated Risks**
- **Helping survivors, ie domestic violence survivors who both stay and who leave**

Perspectives:

- **Each survivor is unique**
- **Not “one size fits all”**
- **Survivors of gender-based violence-means ALL survivors**

Policy Advocacy Steps

Step 1: Prepare to Advocate in the system

Step 2: Analyze the System's Response to Survivors

Step 3: Plan and Implement Policy Advocacy

Step 4: Monitor the effects on survivors of current responses; continue analysis and advocacy

Prepare to advocate in the system

- Current advocacy programs
- Survivors' Needs
- Staff, organizational, and power structures
- Rules, policies, mandates, laws
- Funding, resources
- Political Factors
- Other factors

- What Info do you already have or know about the subject?
- What information you need to analyze issues and plan advocacy in this system?
- How will you get the information you need?

Analyzing System Response

1. Choose a particular aspect
 - List key components
 - Select one component
 - Analyze the implications of the selected component
 - Positive effects
 - Negative effects
 - Strategies to address Negative effects
2. Determine the Information needed survivors and other sources/information
3. List, analyze proposed and potential strategies/ selected component and their:
 - a. Positive effects
 - b. Whether strategy adds options
 - Increases effectiveness of responses
 - Gives survivors choices
 - Reduces control of abusive partner

Analyzing implications



Strategies to address negative effects

Addresses or reduces potential harm
Provides choice or “opt out”

Information needed from survivors

Effects, consequences
Effects on particular groups

Other information needed?

Implementation

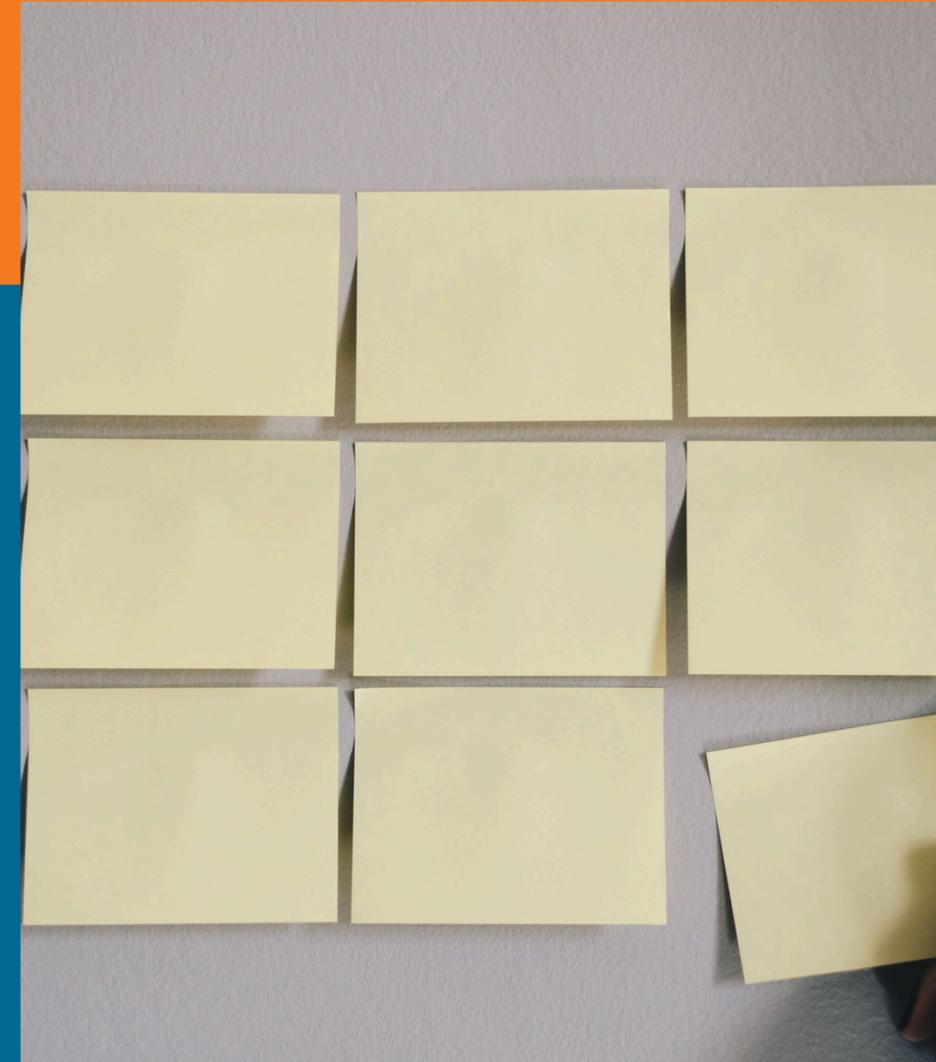
- How to obtain the information?**
- Negative effects?**
- Increased risks?**
 - For whom, how?**
- Decreases options?**
- Decreases effectiveness of responses?**
- Removes survivors’ choice?**
- Gives abusive partner chance to gain power or control?**

Planning and Implementation

- What is your goal?
- Are several options available?
- How are you going to get it?
- Who needs to be involved?
- Who has the influence/power? The resources/funding?
- What's the sequence for activities?/ What comes first?
- What activities, resources would move process along?
- Whose help do you need?

Monitoring Effects

- Learn from survivors
how it is working**
- Learn from the system
what is happening**





Advocacy-in the Form of Lobbying

Advocacy

The act or process of supporting a cause or proposal : the act or process of advocating (support or argue for) something (Merriam Webster Dictionary)

Lobbying

Communications that are intended to influence specific legislation. Legislation is an action by a legislative body, such as Congress, any state legislature, any local council, or similar governing body, with respect to acts, bills, resolutions, or similar items (such as legislative confirmation of appointive office), or by the public in referendum, ballot initiative, constitutional amendment, or similar procedure).

(See: <https://www.irs.gov/charities-non-profits/lobbying>)

Non-Profits Can Lobby

NOTE : REVIEW TERMS OF YOUR GRANTS- FEDERAL GOVERNMENT GRANTS CANNOT BE SPENT ON LOBBYING ACTIVITIES, & OTHER GRANTS MAY HAVE SIMILAR RESTRICTIONS

The law does limit the amount of expenditures/time that 501(c)(3) organizations can spend on lobbying activities.

Insubstantial Part Test- requires “no substantial part of ...activities...be ... attempting to influence legislation.”

Or

Section 501(h) expenditure test - sets specific dollar limits, calculating a specific percentage of organization’s total tax exempt purpose spending.

Must file tax form with IRS to be subject to the expenditure test, otherwise organization is subject to the insubstantial part test

Types of Lobbying

Direct Lobbying = communication to a legislator, employee, legislative body and refers to a specific piece of legislation, and expresses a view on that legislation.

Grassroots Lobbying = An attempt to influence specific legislation by encourage the public to contact legislators about that legislation.

- **Must refer to specific legislation**
- **Reflect a view on that legislation *and***
- **Encourage the recipient of the communication to take lobbying action related to the specific legislation**

Legislative Advocacy

The legislative process belongs to those who show up

As members of organizations and individuals, we may not have a lot of money to affect change

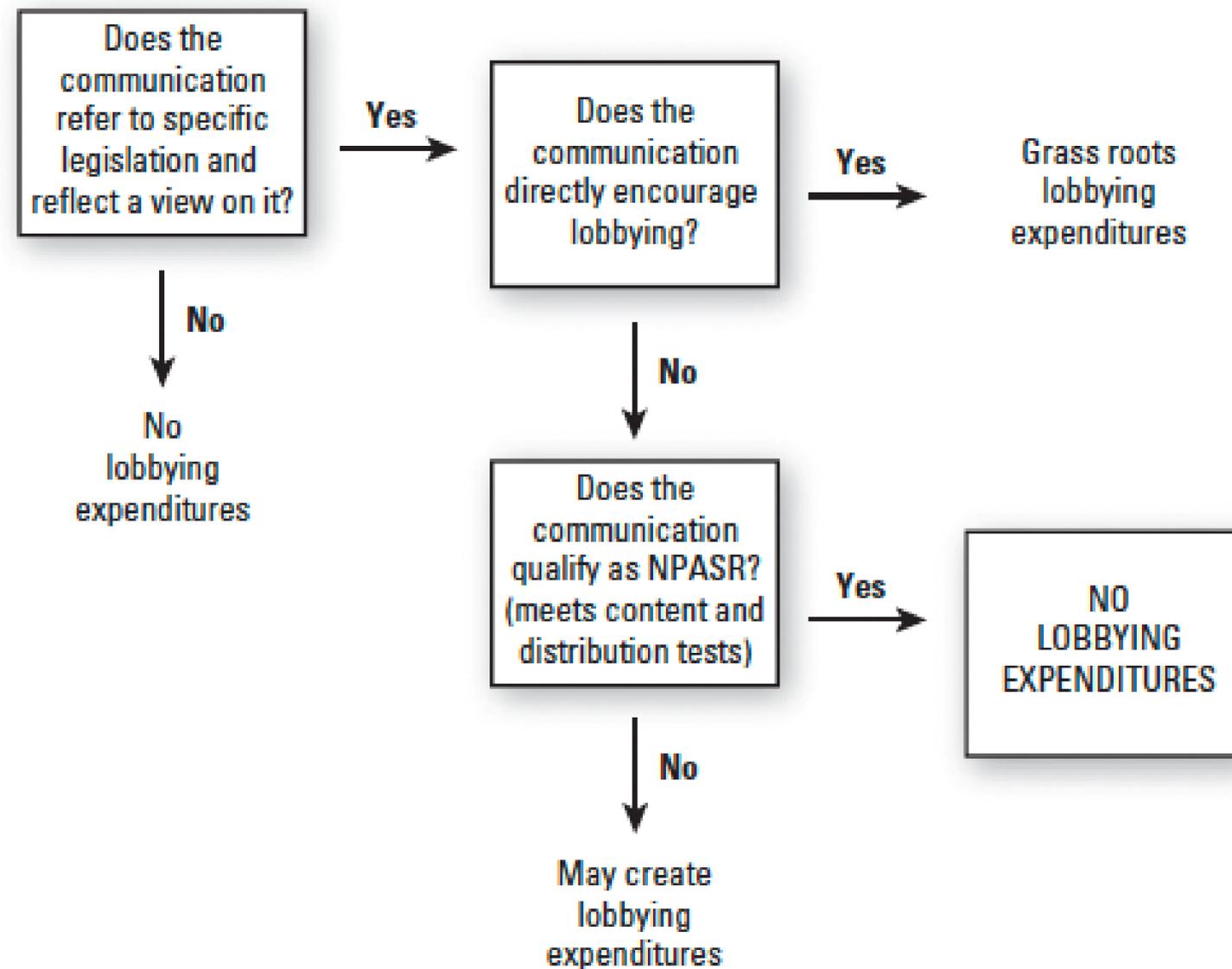
Without the input of personal experience, the legislative process operates in a vacuum, making policies that are not relevant to people in the real world

One call or letter from you can mean significantly more to a legislator than national org

What's Not Lobbying

Nonpartisan analysis, study or research (must provide full & fair exposition of underlying facts for public to form an independent opinion or viewpoint)

Rules Related to Nonpartisan Analysis, Study, or Research



What's Not Lobbying

Examinations, Discussions of Broad Social, Economic problems (not about specific legislation)

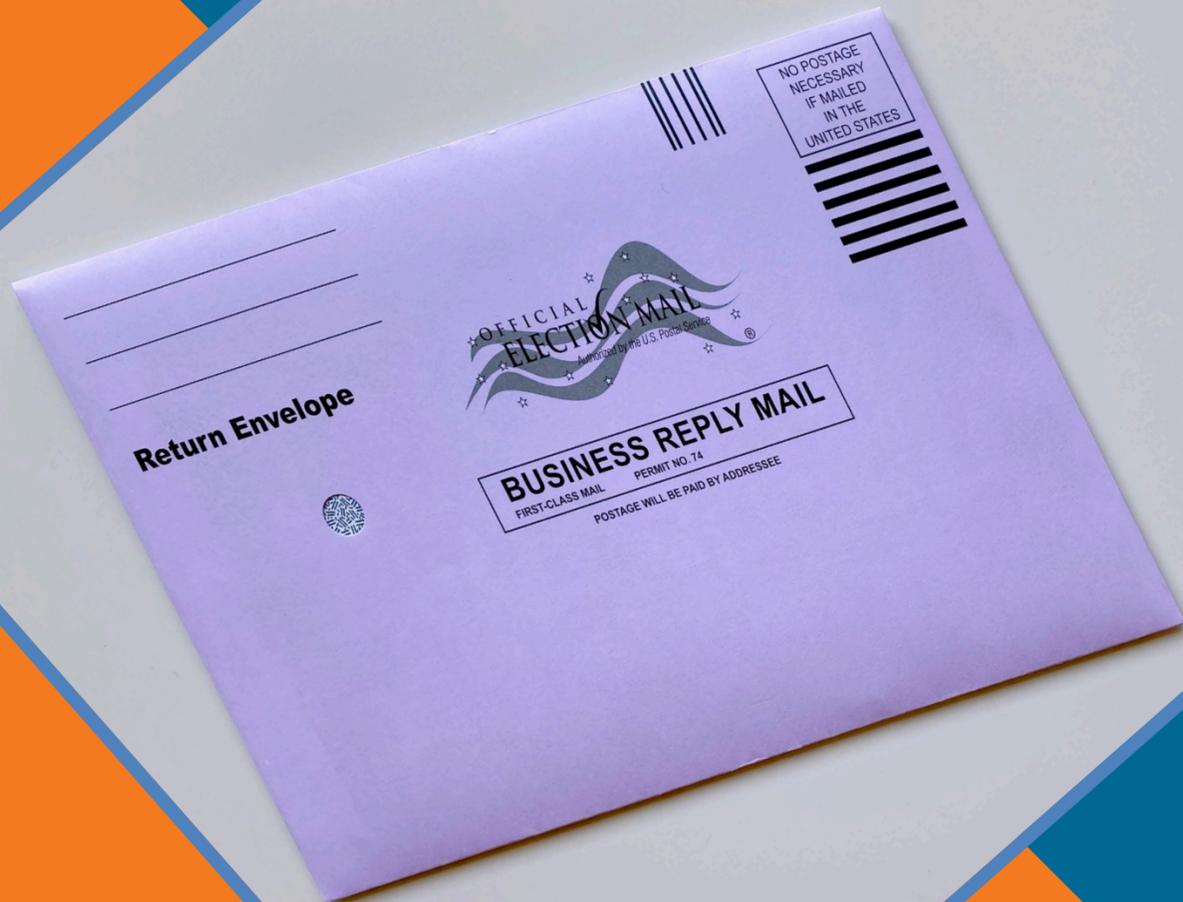
Responses to Requests for Technical Advice or Assistance in response to a written request by a legislative body/committee/subcommittee that is made available to all members of the requesting body. Information provided in response to the oral or written request of a single legislator is insufficient

Self-Defense communications-with a legislative body regarding the body's actions that could affect the organization's existence, powers, duties. Doesn't apply to grassroots lobbying communications

Considerations for Engaging in Legislative Advocacy

- Is this issue best addressed through legislation?
- Are other options such as funding, training, community education possible?
- What are intended consequences of legislation?
- What are potential unintended consequences?
- Are the consequences the same for all survivors?
- Will the legislation increase safety and expand opportunity for all survivors, or will it compromise safety and limit opportunity?
- What issues exist with regards to implementation?

***WHAT ABOUT
ELECTION
RELATED
ACTIVITIES?***



Non profits may NOT participate in partisan political activity

A 501(c)(3) organization may not intervene in any political campaign on behalf of (or in opposition to) any candidate for public office

see, <https://www.irs.gov/charities-non-profits/charitable-organizations/the-restriction-of-political-campaign-intervention-by-section-501c3-tax-exempt-organizations>



***A 501(c)(3)
organization May NOT:***

- Endorse a candidate or support a political party
- Donate money or resources to a candidate or party
- Conduct any partisan election-related activity

Non-Profits CAN

- promote voter registration opportunities
- conduct voter registration drives (in compliance with state rules)

Voter Registration Application
Completing this form, review the General, Application, and State specific instructions for rules regarding eligibility to register prior to age 18.)

United States of America?
on or before election day?
response to either of these questions, do not complete form.

This space for office use

Last Name		First Name		Apt. or Lot #		City/Town		Mid	
You Get Your Mail If Different From Above		Telephone Number (optional)		City/Town		ID Number		6	
Month	Day	Year	5	Race or Ethnic Group (see item 8 in the instructions for your State)		8		state's instructions and I swear/affirm that:	
Party (in the instructions for your State)		8		state's instructions and I swear/affirm that:		state and			

Common Non Partisan Activities

Promote voter registration:

- Announce deadlines
- Provide information on where and when to register to vote

Conduct voter registration (NO ENDORSEMENTS)

- A table in your lobby, while clients fill out other paperwork, or during services
- Register staff and volunteers
- Partner with other nonprofits on voter registration drives

***Voter Education and Getting
out the Vote (GOTV)***

- ***Permissible GOTV activities***

- Making the election visible in your physical space**
Providing voter assistance, such as rides to the polls or info about election protection
- Conducting get-out-the-vote phone or text banks**
- Reminding staff & constituents to vote in regular communications**
- Educate voters on the process of voting, ie how to find polling place, when & where early voting is available, how to vote by mail, what ID is needed, how to use voting machines**

Voter activities and considerations for Survivor Advocacy Organizations

Engage in in Safety Planning re: Privacy & Safety

- Access to Voter Records-States have different laws about who can access
- Access to voter registration status, including address information
- Availability of Address confidentiality for voter records
- Enhanced Voter Records-Commercially compiled by data brokers
- Risks of online voter registration
- Automatic voter registration
- Voting by Mail, absentee ballots
- Voting at the polls (safety planning to avoid abusers),possibly early voting

Candidate Engagement



Non Profits Can:



- Engage with candidates to educate voters about who is on the ballot, or to begin forming relationships with future office-holders
- Candidate Appearances
 - Must keep campaign/candidacy out of the event if appearing as expert, person w/ experience, etc at event
- For Debates & Forums, there must be equal opportunity for participation to all viable candidates seeking same office
- Remind audience, candidates that event is **NONPARTISAN**

Candidate Forums

Cover a range of issues or topics

- **Provide equal opportunity for the candidates**
- **Do not imply approval or disapproval of any candidate**

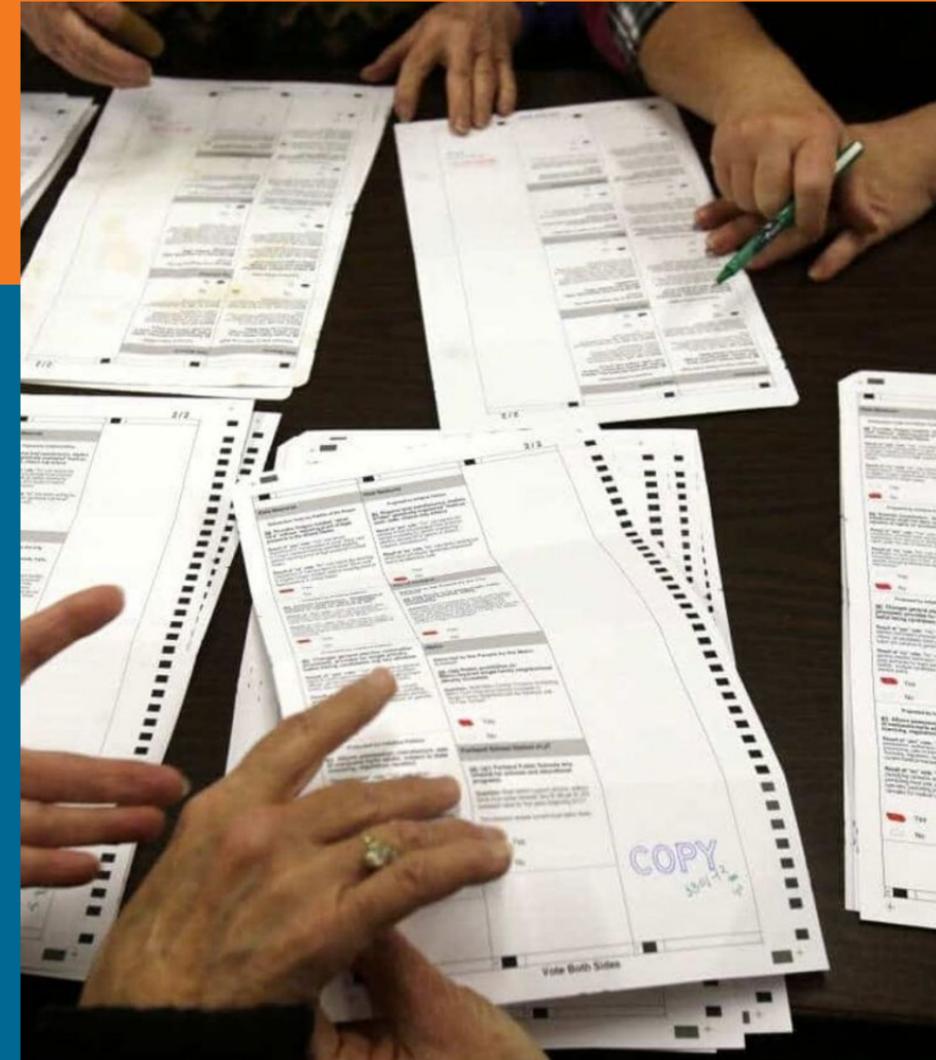
Voters Guides and Questionnaires



- Cover a broad range of issues
- Not just yes or no, if possible
- Send to all the candidates
- If a candidate doesn't respond, may list "no response" or use official statements from the candidate's website or materials
- Make sure that that it is not partisan, ie **NO SIGNALING** that there are right, wrong answers
- Okay to compare candidates on issues, but keep opinions out
- No rankings/ratings of candidates
- Avoid making positive, negative statements about candidates, but ok to correct factual misstatements related to issues you work on

Ballot Measures

- Nonprofits can take positions on policy issues.
- Activity on ballot measures(ie initiatives, referenda) generally considered lobbying, ie influencing passage or defeat of a law
- Attention should be paid to whether work on ballot measures and nexus/connection to a candidate
- Don't want to be seen as partisan in context of issues dividing the *candidates*
- history of work on issues is good to show non-partisan nature of work



What can Non-Profit Staff Do?

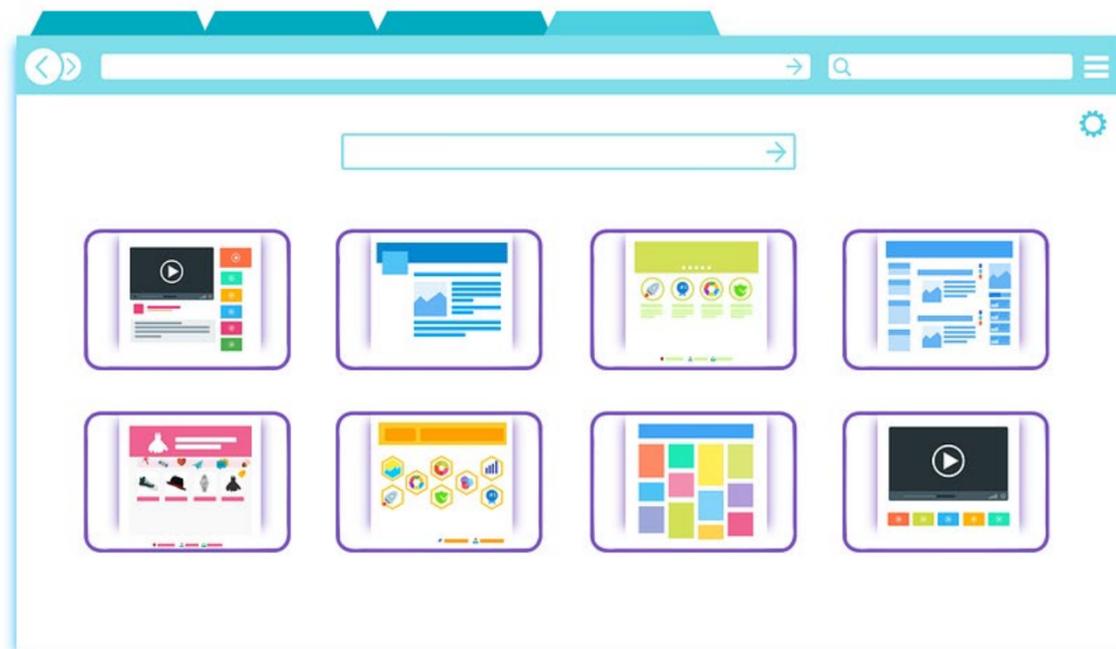
- Staff are free to engage in partisan activities on their own time
- ie, volunteer on campaigns, attend political events, run for office
- On personal time, outside work hours, on vacation, personal days, leave

But Avoid

- Using nonprofit resources for partisan political purposes, including organizational provide phones, laptops, printers
- Work related email and social media accounts
- Being partisan when representing the nonprofit, including outside of work , ie wearing campaign swag, identifying oneself of non-profit when working on campaigns



Resources



- **IRS Charities/ Non-profits page:**
<https://www.irs.gov/charities-non-profits/lobbying>
- **Bolder Advocacy (Alliance for Justice):**
<https://bolderadvocacy.org>
- **Council of Non-Profits-**
<https://www.councilofnonprofits.org/tools-resources-categories/advocacy>
- **National Conference of State Legislatures: Access to/ Use of Voter Registration Lists:**
<https://www.ncsl.org/research/elections-and-campaigns/access-to-and-use-of-voter-registration-lists.aspx>
- **NNEDV Safety Net Project-Voting and Survivor Privacy:**
<https://www.techsafety.org/voter-registration-privacy>
- **State Address Confidentiality Laws (compiled by NNEDV)-**
https://static1.squarespace.com/static/51dc541ce4b03ebab8c5c88c/t/5a611cfa53450a0bfbecff8b/1516313850795/ACP+Chart+Sept+2016_Final.pdf
- **APIA Vote (ie translated mailers, etc):**
<https://apiavote.org>

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Thank you!