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Ebb and Flow: A Multiple Streams Analysis of Change in Kansas Domestic Violence Policy

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State domestic violence legislative interventions shape the way states define and respond to domestic violence. In 2010, Kansas Governor Mark Parkinson signed into law Substitute House Bill 2517, which included a strategy to track domestic violence offenders from the time of arrest through the court system, and an expansion of the statutory definition of domestic violence. The following policy analysis uses a multiple streams framework to examine this policy change, including the motivations and actions of key policy entrepreneurs. We also discuss the implementation of the bill as passed and implications for domestic violence victims and policy activists in other states.

Key words: policy analysis, domestic violence, Kansas, multiple streams framework, implementation

Domestic violence is a national issue in the United States which is addressed in the policy arena at the federal and state levels. Studies reveal the importance of well-crafted and aggressive domestic violence laws. Some argue that the decrease in national rates of reported domestic violence incidence over the last twenty years (Catalano, Rand, Smith & Snyder, 2009) is related to the passage of the Violence Against Women Act in 1994 and its subsequent three reauthorizations. Dugan (2003) found, through an analysis of National Crime Victimization Survey data obtained from 529,829 households with 0.5% of

them reporting domestic violence, that state domestic violence laws impacted the probability of domestic violence occurring in a household. Furthermore, state laws impacted the likelihood of incident reporting and recidivism in domestic violence cases. However, the ability of domestic violence legislation to keep victims safe after criminal legal system involvement is not well studied or understood (Dugan, 2003).

The impact of domestic violence state laws is also found on the definitional and conceptual level, because domestic violence legislative interventions shape the way states define and respond to domestic violence (Miller, 2004). For instance, a state which defines domestic violence as a discrete act of assault may seek only to prevent and punish physical violence. Yet, it is widely understood that domestic violence encompasses many more complex interactions, including elements of emotional and financial coercive control (Outlaw, 2009; Williamson, 2010) which may be difficult to address through legislation.

The state of Kansas has recognized domestic violence as a social problem for decades, with a governor's task force assigned to study the issue as early as 1983 (Gottlieb & Johnson, 1983). Kansas state policies to address domestic violence have not dramatically changed over time, but instead have evolved in gradual ways. A recent example of these gradual changes took place in 2010, when the Kansas legislature passed Substitute House Bill (HB) 2517, which was signed by then-Governor Mark Parkinson. This bill included a "case designation" strategy to identify and track domestic violence offenders through the legal system from the time of arrest, an expansion to the statutory definition of domestic violence, and required assessment of and referral to appropriate programs for domestic violence offenders.

Considering the influence of domestic violence state laws in defining and framing policy responses to domestic violence, their critical analyses are extremely relevant to policy analysts and policy makers, as well as to the domestic violence field and criminal legal system. The following analysis provides a critical examination of domestic violence policy reform in Kansas over the last two decades, with a focus on the passage of Substitute HB 2517 in 2010. Using the multiple streams policy analysis framework, we analyze each stream as the window of

opportunity arose for this policy change, the motivations and actions of policy entrepreneurs in domestic violence policy reform, and the implications and implementation of the bill as passed. However, as we explore in the discussion, there is much progress to be made when addressing domestic violence in Kansas and beyond; therefore, we conclude by offering suggestions for future policy reform.

Multiple Streams Policy Analysis Framework

The multiple streams policy analysis framework, used recently in several policy analyses, including child sexual abuse prevention (Anderson, 2014) and the Employment Non-Discrimination Act of 2009 (Gates, 2010), builds on the writing of John Kingdon (2003). Kingdon's multiple streams framework suggests that within the public and political system multiple streams flow—the problem, policy and politics streams. The rather independent streams move or stall the introduction and passage of legislation. These streams shape the emergence of a social "problem" and the development of a policy solution to address that social problem. A coupling of these streams allows a "policy window" to open, through which policy changes can pass. Windows only open for a brief time, limiting the opportunity for policy-making movement.

Policy Entrepreneurs and Focusing Events

When a policy entrepreneur—individuals or organizations who promote policy changes and identify problems and solutions—brings together two streams, a policy "window" develops through which policies move from being ideas to becoming laws (Zahariadis, 2007). Policy entrepreneurs work during these limited window openings to help couple a solution to a problem or political stream (Kingdon, 2003). In addition, focusing events—defined as a singular event that draws intense public attention to an issue—within the problem stream may ease the work of policy entrepreneurs or contribute to the opening of a policy window.

Overview of Problem Stream

Zahariadis (2007) states that the problem stream "consists of various conditions that policy makers and citizens want

addressed" (p. 70). These conditions wait to be recognized as a problem that needs to and can be solved through policy change. During any given period of time, a legion of so-called conditions exists in the stream, some of which rise to the designation of a problem in the public and political system, while others do not. The problem stream also contains the definitions of recognized problems, which can evolve alongside conditions in the political stream.

Overview of Political Stream

The political stream contains what Zahariadis (2007) describes as "three elements: the national mood, pressure-group campaigns, and administrative or legislative turnover" (p. 73). National mood, or the attitudes towards problems and acceptance of available solutions, is reflected in the mood of the state. Administrative and legislative turnover also affects recognition of problems and whether solutions are found acceptable as well as the prioritization of problems and solutions. The impact of legislative turnover is evident after legislators take office and limit focus to the particular problems that they want addressed.

Overview of Policy Stream

The policy stream contains the policy ideas or solutions to solve problems. Development and acceptance of solutions can be fast or slow. In a typology set forth by Durant and Diehl (1989), the policy stream may have varying styles of idea processing, ranging from the sudden emergence of new ideas, or quantum style, to a slow churning of old ideas, or gradualist style, which must be taken into account by policy entrepreneurs (Zahariadis, 2007). Thus, an understanding of the policy stream informs our understanding of the behaviors and decisions made by policy entrepreneurs, as well as the entities and individuals that comprise the political stream.

The Ebb and Flow of Kansas' Domestic Violence Policy HB 2571

The multiple streams approach lends itself to understanding the passage of Substitute HB 2517 because it illuminates

the motion within different streams of policy making that allowed the bill to become law when previous iterations of the bill, proposing similar changes, did not. Domestic violence policy in Kansas viewed through the multiple streams framework reveals a relatively placid policy stream (Gottlieb & Johnson, 1983; Zahariadis, 2007). Previous Kansas' domestic violence policy changes shared certain components: defining domestic violence, defining intimate relationships, officer discretion to arrest suspects, or other law enforcement policies, and data collection policies (who collects, and what to collect). Each change expanded or modified one or more of these components, and in only a few cases, introduced new components modeled on the policies of other states.

Over the last three decades, none of these domestic violence policy components changed radically. This slow, gradualist type of idea processing in the policy stream reflects the state of the political stream in Kansas (Durant & Diehl, 1989; Zahariadis, 2007). Many of the policy solutions in Substitute HB 2517 existed in the policy stream prior to 2010. For example, the proposed case designation in Substitute HB 2517 was introduced in three previous bills, however, these bills failed to come to vote. Yet, they contributed to the creation of a policy window for Substitute HB 2517 by making solutions available in the policy stream, garnering acceptance for these solutions, and priming the political stream so that when the problem stream reached a critical moment, a window did open for policy change in Kansas.

The Problem Stream in Kansas

The problem stream contained several domestic violence related "conditions" waiting to be recognized by policy makers and citizens as problems to be addressed through policy change. The multiple streams framework posits that policy makers recognize these conditions through three means: indicators, feedback, and focusing events (Kingdon, 2003; Zahariadis, 2007). When analyzing the problem stream of passage of Substitute HB 2517, three types of indicators—or factual information that demonstrates the condition—stand out.

The first of these indicators was domestic violence prevalence data. Particularly convincing may have been the data

of domestic-violence-related deaths provided by the Kansas Domestic Violence Fatality Review Board (FRB). Developed by Executive Order 04-11 in 2004 by then-Governor Katherine Sebelius, the FRB began to provide the Governor's office analysis of annual domestic-violence-related deaths data to document the extent of problem.

In addition to the evidence provided in the FRB annual reports, the second indicator may have been a 2007 report from the Docking Institute of Public Affairs and the Kansas Governor's Grants Program. This report, which was widely disseminated following its publication, including press releases from the Governor's office (Office of Governor, 2007), and was picked up by news outlets, identified domestic violence as the third most important women's health issue in Kansas, following cancer and heart disease (Wolfe, Ray, & Zollinger, 2007). This report also documented that almost 91% of women who had received domestic violence services in Kansas stated their situation improved after they received services (Wolfe, et al., 2007).

Data collected through the Kansas Incident Based Reporting System on domestic violence incidents and arrests made from 1992-2012 provide the third indicator in the problem stream. For example, in 1992, the number of incidents of domestic violence was 20,817 with 7,721 arrests (39%), while in 1993, after the 1992 passage of the Mandatory Arrest law, the number of incidents was 16,690 with 10,971 arrests (66%) (Kansas Bureau of Investigation [KBI], 2012). Domestic violence homicides are another data point used to illuminate the problem of domestic violence in Kansas. In 1993, there were 41 homicides, the greatest number of domestic violence homicides since 1992 when data was first collected (KBI, 2012). The second highest number of domestic violence homicides occurred in 2009, the year HB 2517 (Kansas Legislature, 2010a) was introduced in the legislature. These three indicators drew policy makers' attention to move domestic violence from a condition to problem.

Along with these indicators, feedback—the second element of the problem stream—shaped the policy process of HB 2517. This feedback was Colorado's "case designation" state domestic violence law, which was the model for HB 2517 and similar previous bills in Kansas that failed to pass (Harvey, 2010).

The case designation was a component of Colorado's law that allowed law enforcement to label domestic violence cases in arrest reports and to track the outcome of the cases through the court system; interventions for both victims and offenders could be offered, and it allowed special handling of these cases as the court system developed new strategies for combating domestic violence (Colorado Legislature, 2012; D. Miles, personal communication, June 16, 2014).

As there were no evaluative studies conducted on the Colorado law, the FRB brought Retired Deputy District Attorney from Colorado Springs, Douglas J. Miles, then acting independently as a consultant on domestic violence policy, to Kansas to educate the FRB about the successful implementation of the law in Colorado (D. Miles, personal communication, June 16, 2014). Acting as a policy entrepreneur, the FRB started shaping the condition of domestic violence as a problem that could be addressed through legislation. Thus, the feedback on Colorado's law, in conjunction with the data reports from the FRB, suggested the proposal of the following policy solutions: a standard and comprehensive legal definition of domestic violence and a method to track domestic violence offenses through the legal system through a case designation similar to Colorado's domestic violence policy.

The third element in a problem stream to analyze is the focusing event (Kingdon, 2003; Zahariadis, 2007); such an event is central to the present analysis. On July 3, 2008, Jana Mackey was murdered by her ex-boyfriend in Lawrence, Kansas, the home of the University of Kansas. Ms. Mackey, an advocate for women's rights, had worked as a lobbyist for the National Organization for Women at the Kansas State Capitol and was studying law at the University of Kansas. Following this family tragedy, Ms. Mackey's mother and stepfather, Christie and Curt Brungardt, founded the organization called Jana's Campaign (Jana's Campaign, 2014b). Acting as policy entrepreneurs, Jana's Campaign strongly supported HB 2517 (Harvey, 2010). Along with the indicators and feedback, this focusing event created a chance for Jana's Campaign, acting as policy entrepreneurs, to shape values in the political stream.

The Political Stream in Kansas and the Federal Level

In the multiple streams framework, the political stream contains public and political values and attitudes about problems and potential solutions, as well as changes in political administration (Zahariadis, 2007). For a policy window to open, values in the political stream must shift or be shaped so that at the same time conditions in the problem stream are recognized as problems to be solved, solutions in the policy stream are found acceptable for use (Zahariadis, 2007). The passage and intent of previous Kansas domestic violence legislation reflects the change in the national public and political attitudes surrounding domestic violence that began to accelerate in the 1980s and 90s and which led to a demand for and acceptance of solutions at the federal and state level.

Shifting values in the nation and the state. In the 1980s, several public domestic violence court cases and subsequent trials shaped the national mood by increasing the visibility and the recognition of the lethality of domestic violence, and this began drawing attention to legislative solutions such as mandatory and enhanced arrest. Mandatory arrest language in domestic violence law refers to law enforcement policy requiring an officer to make an arrest when the officer finds probable cause to believe a domestic violence crime was committed. Enhanced arrest law strongly encourages an officer to make an arrest. The case in 1984 of Tracy Thurman, a severely abused woman in Connecticut who filed a suit against the City of Torrington and 29 police officers, may have shaped national attitudes toward enhanced arrests in the case of domestic violence (Gelles, 1996; Thurman v. City of Torrington, 1984). This is the first case where liability was attributed to a police department for failing to assist a victim of domestic violence.

Later in the 1990s, as national domestic violence prevention organizations such as Futures Without Violence (formerly Family Violence Prevention Fund) continued to put pressure on Congress to strengthen the support of victims of domestic violence and other forms of gender-based violence, national attention focused on domestic violence, with the federal government taking a decidedly direct position on the issue; this culminated in the signing of Violence Against Women Act (VAWA) into federal law in 1994, the first federal law to

address domestic violence in a comprehensive way. One of the main tenets of VAWA of 1994 was to require a coordinated community response to domestic violence, as well as sexual assault and stalking crimes. The same year as the passage of VAWA, two major trials brought domestic violence into the national spotlight. O. J. Simpson was on trial for the murders of his wife, Nicole Brown Simpson and her friend Ron Goldman, and Lorena Bobbitt, who assaulted her husband after years of enduring domestic and sexual violence, was also tried in court.

Increased attention in Kansas. The public and political values and attitudes in Kansas followed a similar course as those in the national arena, with attention given to enhanced arrest laws as a solution to domestic violence. While the Kansas Governor's office sought to study the problem of domestic violence through a task force as early as 1981, it wasn't until 1991 that Kansas enacted an enhanced arrest law (Gottlieb & Johnson, 1983; KBI, 2012). This law required law enforcement agencies to adopt written policies regarding domestic violence and provide data on incidents to the Kansas Bureau of Investigation (KBI, 2012).

Until Kansas' enhanced arrest law, a victim in an abusive relationship had little legal recourse. Not until 2002 could victims of domestic violence who were unmarried seek a protection-from-abuse order (KBI, 2012). Additionally, a narrow legal definition of domestic violence as "spousal abuse" persisted until 2001, when Kansas enacted the "domestic battery" Statute (Gottlieb & Johnson, 1983; Kansas Legislature, 2001). This statute expanded the definition of intimate relationship to adult familial relationships and adults currently or formerly living together, as well as adults with a child in common (Kansas Legislature, 2001). Many gradual domestic violence policy changes took place in the early 2000s, because policy entrepreneurs brought progressively more attention to domestic violence throughout the decade, and solutions in the policy stream were found acceptable.

Indeed, two years after the domestic battery statute passed, then-Governor Kathleen Sebelius used the power of her office to target domestic violence. As mentioned above, in 2004, she signed Executive Order No. 04-11 to create the Kansas Domestic Violence Fatality Review Board, using funds from a

VAWA grant (FRB Report, 2005). The FRB, consisting of fourteen citizens appointed by the Governor with "working knowledge of domestic violence" (Office of the Governor, 2004, p. 1) studied domestic violence homicides in Kansas, KBI data, and made recommendations for policies based on their analysis.

In addition, Paul Morrison, the Attorney General in 2007, was provided additional grant money from then-Governor Sebelius to create a Domestic Violence Unit "to train county prosecutors and law enforcement officials, assist them in prosecutions, and secure grant money for community domestic violence shelters" (Office of Governor, 2007, p. 1). The FRB developed a public health campaign and community programs, which were simultaneously the cause and effect of increased domestic violence awareness in Kansas. Although Ms. Sebelius left office in 2009 to become Secretary of Health and Human Services in the Obama Administration, her support of a more transparent and focused response to domestic violence likely increased the attention to and knowledge of domestic violence in the Kansas legislature.

Parallel in timing to then-Governor Sebelius' efforts, the Kansas Coalition Against Sexual and Domestic Violence (KCSDV) released the 2006 report "Beyond Statistics: Lethal Domestic and Sexual Violence Against Women in Kansas" (KCSDV, 2006). This report aimed to raise public and political awareness about the lethal nature of domestic violence by documenting the 21 femicides and 18 attempted murders of women in Kansas between August 2004 and August 2006 with detailed information about each victim (using pseudonyms). As a follow up to this report, KCSDV produced a press release in February 2007 with an update on the number of women in Kansas murdered during sexual or domestic violence-related incidents; according to media reports, between August of 2006 and February 2007 there were nine murders (KCSDV, 2007). Together, the initial report and the follow-up press release from KCSDV sought to keep the issue of Kansas's domestic violence in the forefront of public and political attention.

Between 2008 and 2010, Kansas saw an increase in domestic violence incidents, with a marked increase in 2009 (FRB Report, 2008; KBI, 2012). This coincided with an increase in domestic violence homicides, including Jana Mackey's death

in 2008 (Jana's Campaign, 2014a). As a well-respected activist, Jana's murder demonstrated the ubiquitous nature of domestic violence. Ultimately, Jana's death brought renewed attention of the public and the press, or the political stream, to domestic violence and positioned the issue of domestic violence in the problem stream as an issue that required urgent action.

Proposed policy solutions. In 2008, the FRB began to develop a policy proposal for a domestic violence law that would allow tracking of a domestic violence offender "from the time of incident to disposition of the criminal case" (FRB report, 2008 p. 6). The FRB introduced House Bill 2910 in the 2008 session to the Judiciary Committee, however, for unpublished reasons, the bill did not receive a hearing (FRB Report, 2008; Kansas Legislature, 2008). Policy entrepreneurs, including Jana's family, the FRB, and the KCSDV, then brought another bill, House Bill 2335 (Kansas Legislature, 2009), forward to the legislature in 2009.

This bill was introduced to the House Committee on Corrections and Juvenile Justice, and died in committee due to several concerns. These concerns included potential conflict between a case designation and due process rights, and the burden to the law enforcement agencies and the court system to implement the proposed case designation policy (Judicial Council, 2009). Although the bill failed to come to a vote, the policy entrepreneurs' efforts had led to serious discussion in the committee, a report on the concerns, and the recommendation to draft a new bill the legislature could accept and pass (FRB Report, 2010; Judicial Council, 2009; Kansas Legislature, 2010c).

Ultimately, the cumulative effects of this ongoing legislative process, the increase in domestic violence incidents (particularly related homicides), and the efforts of focused and activated policy entrepreneurs led to increased political and public attention to domestic violence and a higher tolerance within the legislature to accept new solutions. At this critical moment, a necessary condition for a policy window to open was fulfilled: the political stream was now primed to couple with the policy stream (Zahariadis, 2007).

The Policy Stream in Kansas

As we examined in the previous subsection, many of the policy changes in Substitute HB 2517 existed in the policy stream prior to 2010. This was evidenced by the recommendation of the FRB to pass new legislation in the 2008 report, modeling proposed policy changes upon Colorado's domestic violence case designation law which was in place for several years, and the two previous bills in Kansas that would have added a domestic violence case designation, as well as expanded the statutory definition of domestic violence (Colorado Legislature, 2012; FRB Report, 2008; Kansas Legislature, 2008, 2009). Thus, components of HB 2517 were in the policy stream and promoted by policy entrepreneurs as early as 2008. However, public and political opinion did not support adoption of these solutions.

Mirroring the difficulty in passing the earlier bills, the original draft of HB 2517 included components that were not accepted in the Substitute version; there was much discussion and committee work before the final Substitute draft was accepted and passed—even after such discussion on the earlier bills. For instance, Substitute HB 2517 created a case designation, however, it was not clear how the designation would be used or how it would hold law enforcement agencies, courts, the Kansas Sentencing Commission, and the Department of Justice accountable for its use. Tracking offenders through a case designation was the most innovative component of the bill and yet it was one of the first components to be challenged in the political stream over concerns of the legislature that it would be unfair to individuals charged with domestic violence and difficult or costly for the courts to implement (Judicial Council, 2009).

Intentions and outcomes of policy change in Kansas. While Substitute HB 2517 aimed to address domestic violence, the domestic violence designation law did not do all that it was intended to do. Initially, one intention of this legislation was the identification and tracking of domestic violence offenders across the state through a standardized court tracking system. This idea was supported but was deemed infeasible due to the cost associated with revising a new court tracking system, so the enrolled bill removed this language and inserted a

provision that allows each district court in Kansas to track these cases if they choose to do so. Therefore, consistent tracking of domestic violence offenders is no longer required as was intended.

Another intention of HB 2517 was expanding the definition of domestic violence. Since 2001, domestic violence was defined solely as domestic battery (i.e., physical violence against a family or household member, spouse, or other recognized relationship) under the domestic battery statute. The predecessor to HB 2517, HB 2335, included a repeal of the domestic battery statute and the adoption of a broad and comprehensive definition of domestic violence, however in the Kansas Judicial Council Criminal Law Advisory Committee (JCCLAC) report, it was recommended to strike this from future bills, and it was subsequently omitted in HB 2517 (Judicial Council, 2009). Substitute HB 2517 did broaden the statutory definition of domestic violence beyond battery to include threatened acts of violence or any crime committed as an element of domestic violence (Kansas Legislature, 2010b). This is a significant policy change. However, even under the new definition, domestic violence continues to be a criminal act that occurs within a qualifying relationship (i.e., household member, family member, spouse, former spouse, dating partner, or a relationship with a child in common).

A third intent of Substitute HB 2517 was to provide a way for the courts to require those designated as domestic violence offenders to complete an assessment and appropriate intervention. Under this law, if the court designates the case as a domestic violence case, then the offender should be ordered to complete a domestic violence offender assessment, developed by a committee of domestic violence experts in Kansas. While Substitute HB 2517 was signed into law by then-Governor Mark Parkinson in April 2010, the implementation of this provision was delayed until 2012 due to the small number of batterer intervention programs (BIPs) operating in Kansas. The Kansas Attorney General's Office worked to develop over 20 additional programs since the passage of the designation law (Kansas Attorney General, 2014). Many of these programs, however, are located in urban centers, and some of the 105 Kansas counties are without an accessible BIP. The lack of fully

accessible BIPs can justify some courts ordering offenders to alternate programs that are not certified and that do not address the person's battering behaviors and dangerous belief systems.

An open window does not mean policy changes move through as planned. Even as the window opened for policy change in Kansas, the policy solutions originally sought during the recognition of the problem were challenged. However, policy entrepreneurs worked to modify and exclude solutions that would cause the window to close. Ultimately, policy entrepreneurs in Kansas were able to succeed in changing policy when the window of opportunity opened for HB 2517 to pass, but as noted above, not all of the changes attempted were successful.

Discussion

Zahariadis (2007) and Durant and Diehl (1989) identified various styles of processing in the policy stream in order to make policy change, including the gradualist style demonstrated in Kansas. Throughout our analysis, it is clear that domestic violence policy change in Kansas has remained gradual and mirrors the political climate at both the state and national level. Change occurs slowly, building on prior changes as acceptance of new or amended ideas grows and when there is an intersection of this acceptance with sufficient political pressure or interest. This pattern affected the passage of Substitute HB 2517, and the passage or rejection of certain components of the bill.

The domestic violence designation law is a significant step in enhancing the criminal legal system's domestic violence response in Kansas. While not all of the original intentions of the law were fully realized, this law creates a foundation on which public policy makers can build and develop additional legislation and regulations aimed at enhancing the safety of victims and accountability of abusers. The following lays out three recommendations for future policy work to further enhance the response of the criminal legal system in Kansas.

Passage of predominant aggressor language. Predominant aggressor language sets forth criteria by which to determine the primary aggressor in a domestic violence incident, and thus who should be arrested. Including this language in domestic

violence legislation can be useful to prevent dual arrests, or the erroneous arrest of victims, and gives police clear guidelines to distinguish between defensive and offensive injuries in cases where domestic violence manifests as physical assault.

The Kansas Judicial Council Criminal Law Advisory Committee (JCCLAC) suggested the omission of the so-called predominant aggressor language from a previous bill, HB 2335, and it was not revisited in HB 2517 (Judicial Council, 2009). Predominant aggressor language, considered an important component by many policy entrepreneurs, was also rejected in the political stream as "limiting" and an unnecessary and onerous demand upon police officers; the JCCLAC recommended that an officer "arrest whomever the officer determines to be the predominant aggressor" (Judicial Council, 2009).

Policy-makers in Kansas would send a message in strong support of victims by adopting predominant aggressor language, which would require an assessment of the relationship beyond the specific incident being investigated. This change intends to increase the accuracy of arrest decisions by law enforcement, thereby decreasing the likelihood of dual arrest or erroneous arrest of the victim for force used in self-defense. The decision to omit predominant aggressor language from domestic violence laws limits the effectiveness of law enforcement interventions and puts more victims at risk for further abuse.

Strengthening the designation law. Passage of Substitute HB 2517, or the domestic violence designation law, as many in the legal and domestic violence advocacy communities call it, is a significant step in creating a strong public policy response to domestic violence in Kansas that centers on offender accountability. One criticism of the law is that it creates more elements that must be proven in a legal case (by prosecutors) but does little to enhance the criminal penalties for a designated crime. Public policy makers should consider strengthening this law by creating an enhancement component for multiple domestic violence offenses.

Enhancing the safety net for victims. The domestic violence designation law is a significant step in crafting a strong response to domestic violence in Kansas, but victims' needs expand far beyond the criminal legal system. It is essential that

other supports be in place to support victims as they leave a violent relationship and seek to heal and live free from violence. Many victims return to abusive relationships or are unable to leave due to economic, housing, education, and related needs. Without a safety net to rely on, victims are less likely to seek the safety they deserve. Policies that include the funding of a strong safety net are an essential step toward making it possible for victims to leave their abusers.

Conclusion

This analysis of the passage of Substitute HB 2517 offers the fields of domestic violence, criminal justice, and social work a detailed case example to understand how to use a policy window of opportunity to move legislation forward and how to influence the political stream to prompt a policy window. As social workers, we strive toward policy and social change that addresses the sexist and structural nature of the problem of domestic violence (Pyles & Postmus, 2004). Part of this change must take place in the legislative arena, moving domestic violence social policy forward. Together with domestic violence advocates, public policy makers must continue to be invested in the myriad of issues beyond physical violence that victims of domestic violence face, including but not limited to: economic vulnerability from the effects of domestic violence, and lack of housing protections and safety nets needed to support victims as they seek safe lives free from violence.

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