

Gender Bias, Presumed Guilt & Family Court

VOTE NO!!
HB23-1108

The fundamental problem with family court, child support, child welfare, and domestic violence systems is the unsupported bias and belief that men are less safe than women. Even though these biases are contrary to the data and wealth of available social science⁽¹⁾, policy and system practices persist to unjustly deny children healthy relationships with their fathers.

Fatherlessness is a public health crisis disproportionately impacting communities of color⁽²⁾. When fathers are absent, children are at greater risk of all other societal ills⁽²⁾. From gun & criminal violence, suicide & mental health issues, child poverty & homelessness, to everything in between and beyond, children without a father in their life have life's odds stacked against them. Still, fathers are treated as second class citizens and pushed out of their children's lives. Often, simply at the whim of the mother.

Unfortunately, well-meaning policymakers are similarly misled and uninformed of the data and social science regarding domestic violence (DV)⁽³⁾, intimate partner violence (IPV)⁽⁴⁾, and child abuse⁽⁵⁾. Their natural and understandable instinct is to protect women and children from what they perceive as more dangerous men. The result, as it pertains to these systems, is all it takes is a simple false or unfounded allegation to invoke the implicit or explicit bias of judge or person in position of authority who wants to err on the side of caution to protect the child.

Said another way, men are presumed guilty until proven innocent. More likely, the allegation is not adjudicated and the seed of a false claim has its intended effect. To harm, impair, or sever a child's relationship with their father.

Criminal law is based on the presumption of innocence until proven guilty. Family law has no presumption that a parent is fit until shown otherwise. Without a presumption that can be overcome with a preponderance of evidence, parents can and do allege whatever they want, without accountability, to invoke the bias and favor of a judge. Unscrupulous family law attorneys commonly advise their clients on this strategy because it works, there is no downside, and it increases revenue.

Gender biased DV advocates argue that they shouldn't have to prove abuse. They argue they should just be believed because only men are perpetrators, never women. Without a presumption to overcome, a child's relationship with his/her father can be dependent on the mother's state of mind, emotions, or insecurities.

Mothers AND Fathers are equally as important, safe, good, and flawed. Children have a right to being raised, loved, and cared for by their moms AND their dads. A child's right to having healthy relationships with both parents must be protected by presuming that each parent is good unless proven that either parent is unsafe or unfit.

Family courts and related systems diminish child health, child safety, and family resilience because they operate on the basis of gender bias that presume fathers are less safe and push them away. **This form of child abuse and parental alienation must stop!!!**

1. References Examining Assaults by Women on Their Spouses or Male Partners: An Updated Annotated Bibliography. Martin S. Fiebert – A compilation of 343 scholarly investigations (270 empirical studies and 73 reviews) demonstrating that women are as physically aggressive as men (or more) in their relationships with their spouses or opposite-sex partners. The aggregate sample size in the reviewed studies exceeds 440,850 people.
https://www.researchgate.net/publication/261543769_References_Examining_Assaults_by_Women_on_Their_Spouses_or_Male_Partners_An_Updated_Annotated_Bibliography
2. Father Facts 8 (8th Edition – 2019) – National Fatherhood Initiative – [Fatherhood.org](http://fatherhood.org)
3. Seven Key Facts About Domestic Violence Prepared by: Coalition to End Domestic Violence (EndtoDV.org) Fact #1: Each year, men are more likely than women to be victims of domestic violence and other forms of partner abuse, according to the U.S. Centers for Disease Control. <http://endtodv.org/wp-content/uploads/2021/09/Seven-Key-Facts-About-DV-9.11.2021.pdf>
4. Partner Abuse State of Knowledge Project Findings At-a-Glance Sponsored by the Journal Partner Abuse, John Hamel, LCSW, Editor-in-Chief - An abridged version of the Overview of Findings by the Authors document, which summarizes the results of the Partner Abuse State of Knowledge Project, a comprehensive, 2,300- page review of the domestic violence research literature.
<https://domesticviolenceresearch.org/pdf/FindingsAt-a-Glance.Nov.23.pdf>
5. Centers for Disease Control and Prevention (2018), *National Intimate Partner and Sexual Violence Survey: 2015 Data Brief – Updated Release*, Atlanta, Georgia. Tables 9 and 11.
<https://www.cdc.gov/violenceprevention/pdf/2015data-brief508.pdf>

More References

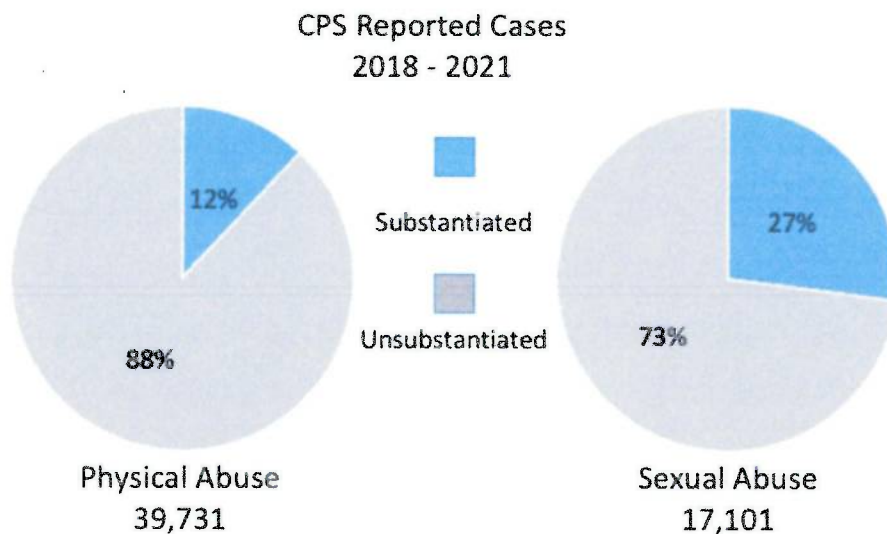
Parental Alienation Reference Sites

- Parental Alienation Support Group (Ft. Collins) <https://pasg.info/>
- Victim to Hero <https://victimtohero.com/>
- PAS Intervention <https://www.pas-intervention.org/>

Relevant Parental Alienation Documents

- Parental Alienation is Real <https://victimtohero.com/wp-content/uploads/2021/02/Parental-Alienation-is-Real.pdf>
- Myths & Truths About Parental Alienation <https://victimtohero.com/wp-content/uploads/2021/02/Myths-and-Truths-about-PA.pdf>
- Parental Alienating Behaviors Are Family Violence <https://victimtohero.com/wp-content/uploads/2021/03/Parental-Alienation-and-Family-Violence.pdf>

Colorado CPS Reported Cases of Abuse. Graph compiled from CDHS Community Performance Center report. https://rom.socwel.ku.edu/CO_Public/AllViews.aspx?RVID=682 While unsubstantiated does not mean false, this is just one indication of the volume of false allegations used to try and gain the advantage in contested custody. Even if CPS dismisses a case, the allegation still lives to invoke the bias of a judge.



Domestic Violence Reform & False Allegation Sites:

- Coalition to End Domestic Violence <https://endtodv.org/>
- SAVE (Stop Abuse & Violence for Everyone) Services <https://www.saveservices.org/>
- Center for Prosecutor Integrity <http://www.prosecutorintegrity.org/>

The Boy Crisis, Gun Violence, and Dad Deprivation <https://youtu.be/AUX4RaCXxgk>

