Sandra Park Develops A Domestic Strategy for Gender Justice

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In the decades since the passage of the Beijing Declaration that "women's rights are human rights," Sandra Park has seen progress made all over the world. But as an attorney in the Women's Rights Project of the American Civil Liberties Union, she's remained focused on the United States, where domestic violence is rarely seen as part of that larger dialogue.

"We often think of women's rights violations as something that happens elsewhere," said Park, speaking on October 9 at Cornell Law School. "Even within the legal community, we see ourselves as providing a service to individuals, rather than using a human rights framework to cast domestic violence as a broader issue of fundamental human rights."

In "Bringing Human Rights Home: Women's Human Rights Advocacy in the United States," Park discussed some of her recent cases. In Lenahan v. United States, Park represented Jessica Lenahan before the Inter-American Commission on Human Rights, arguing that her client had been discriminated against when the police of Castle Rock, Colorado, failed to enforce a restraining order against her husband, who then abducted their three daughters.

The commission agreed. There was a clear history of abuse, a clear need for the restraining order, and a clear lack of diligence in protecting the three young girls, whose dead bodies were found later that night. Citing "systemic failures," the commission found the U.S. government in violation of the Organization of American States' American Declaration, denying the mother her rights as a victim of domestic violence, and denying her children their right to life, their
right to protection, and their right to equality before the law.

In *Briggs v. Norristown*, Park filed suit against a Pennsylvania city that encourages landlords to evict tenants for three incidents of "disorderly behavior," which is defined so broadly that it includes calls to the police to report domestic violence. In response, Norristown quickly repealed the law, which is similar to "nuisance ordinances" in many other cities, then enacted a second, virtually identical law.

Again, Park argued that the law effectively punished victims of domestic violence, violating their First Amendment right to petition the government, the Violence Against Women Act, which prohibits victims of abuse from being punished for crimes committed against them, and the Fair Housing Act, which prohibits discrimination based on sex. Again, Park won, with Norristown repealing its second ordinance, promising not to pass another that would punish tenants for calling the police, and paying Lakisha Briggs-who'd been air-lifted to the hospital after the last beating by her ex-boyfriend, then threatened with eviction-$495,000 in compensation and attorney's fees.

For Park and the ACLU, it's all part of a strategic shift to reenvision women's rights as human rights, "holding governments and institutions accountable in condoning or failing to prevent gender violence." That includes working with survivors of military sexual trauma, which is also part of Park's portfolio, and a movement toward local resolutions against domestic violence, including one that's currently being drafted by students in Cornell's Global Gender Justice Clinic, which co-hosted the lecture with the Avon Global Center for Women and Justice and the Cornell Advocates for Human Rights.

"Sandra Park's thought-provoking remarks covered many of the issues that the Avon Global Center and Global Gender Justice Clinic are seeking to address in the United States and globally," said Liz Brundige, who directs the center and clinic. "Understanding these issues as human rights highlights the responsibility of governments to respond and opens important new avenues for advocacy. We look forward to continuing to work together with the ACLU Women's Rights Project and other partners to bring human rights home."