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Editors

Criminal
Justice, Law
Enforcement
and
Corrections

THE VIOLENCE AGAINST WOMEN ACT

ELEMENTS AND CONSIDERATIONS

NOVA

CRIMINAL JUSTICE, LAW ENFORCEMENT AND CORRECTIONS

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JOSHUA ABRAHAMSON

AND

ROGER T. CANTRELL

EDITORS



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THE VIOLENCE AGAINST WOMEN ACT

ELEMENTS AND CONSIDERATIONS

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PREFACE

In the early 1990's, Congress passed the Violence Against Women Act (VAWA). The act was intended to change attitudes toward domestic violence, foster awareness of domestic violence, improve services and provisions for victims, and revise the manner in which the criminal justice system responds to domestic violence. This legislation created new programs within the Department of Justice and Health and Human Services that aimed to both reduce domestic violence and improve response to and recovery from domestic violence incidents. VAWA primarily addresses certain types of violent crime through grant programs to state, tribal, and local governments; nonprofit organizations; and universities. VAWA programs target the crimes of intimate partner violence, dating violence, sexual assault, and stalking. This book provides a brief legislative history of VAWA and an overview of the crimes addressed with a focus on legislation and funding issues.

Chapter 1 – In 1994, Congress passed the Violence Against Women Act (VAWA, P.L. 103-322). The act was intended to change attitudes toward domestic violence, foster awareness of domestic violence, improve services and provisions for victims, and revise the manner in which the criminal justice system responds to domestic violence.

This legislation created new programs within the Departments of Justice and Health and Human Services that aimed to both reduce domestic violence and improve response to and recovery from domestic violence incidents. VAWA primarily addresses certain types of violent crime through grant programs to state, tribal, and local governments; nonprofit organizations; and universities. VAWA programs target the crimes of intimate partner violence, dating violence, sexual assault, and stalking.

In 1995, the Office on Violence Against Women (OVW) was created administratively within the Department of Justice to administer federal grants authorized under VAWA. Since its creation, the OVW has awarded more than \$3 billion in grants. While the OVW administers the majority of VAWA authorized grants, other federal agencies, including the Centers for Disease Control and Prevention and the Office of Justice Programs, also manage VAWA grants.

Since 1994, VAWA has been modified and reauthorized several times. In 2000, Congress reauthorized VAWA, enhanced federal domestic violence and stalking penalties, added protections for battered immigrants, and added new programs for elderly and disabled women. In 2005, Congress again reauthorized VAWA. The legislation enhanced penalties for repeat stalking offenders; added protections for battered and trafficked immigrants; and added programs for sexual assault victims and American Indian victims, and programs designed to

improve the public health response to domestic violence. Authorization for appropriations for the programs under VAWA expired in 2011.

Several bills have been introduced in the 112th Congress that would reauthorize VAWA. On February 2, 2012, the Senate Judiciary Committee ordered reported the Violence Against Women Reauthorization Act of 2011 (S. 1925), and on April 26, the Senate amended and passed S. 1925. This bill was met with some opposition. For example, in the Senate Judiciary Committee Report (S.Rept. 112-153) and during the Executive Business Meeting of the Senate Judiciary Committee, concerns were raised regarding a proposed increase to the cap on the number of U-Visas available for immigrants; a proposed addition to the number of groups given special consideration as underserved populations; a proposed increase of jurisdictional power for American Indian tribes; and the accountability of OVW grantees.

On April 27, 2012, Representative Adams introduced the Violence Against Women Reauthorization Act of 2012 (H.R. 4970). It differs in substantive ways from S. 1925 including with respect to the VAWA-related immigration provisions and in the populations it would include under its definition of underserved population. H.R. 4970 was met with some opposition in the House.

For example, concerns were raised during the markup of H.R. 4970 in the House Judiciary Committee with respect to new restrictions for immigration provisions under VAWA and the absence of special consideration for those who may be discriminated against based on gender identity or sexual orientation. Additionally, some Members sought increased jurisdictional powers for American Indian tribes, similar to provisions in S. 1925. On May 8, 2012, the House Judiciary Committee ordered reported H.R. 4970.

Chapter 2 – The Immigration and Nationality Act (INA) includes provisions to assist foreign nationals who have been victims of domestic abuse. These provisions, initially enacted by Congress with the Immigration Act of 1990 and the Violence Against Women Act (VAWA) of 1994, afford benefits to abused foreign nationals and allow them to self-petition for lawful permanent resident (LPR) status independently of the U.S. citizen or LPR relatives who originally sponsored them. Congress reauthorized VAWA with the Battered Immigrant Women Protection Act of 2000, which also created the U visa for foreign national victims of a range of crimes—including domestic abuse—who assisted law enforcement. A second reauthorization in 2005 added protections and expanded eligibility for abused foreign nationals. VAWA expired in 2011. On November 30, 2011, Senator Leahy introduced S. 1925, the Violence Against Women Reauthorization Act of 2011. It was referred to the Committee on the Judiciary and reported favorably on February 7, 2012. S. 1925 contains provisions that would expand protections and eligibility to foreign national victims of domestic abuse. Among other provisions included in the bill, it would allow children to continue to apply for protections and legal status under VAWA in the case of the death of their self-petitioner parent, a protection currently afforded only to child applicants for lawful permanent status under family-based immigration provisions of the INA. It would exempt VAWA self-petitioners, U visa petitioners, and battered foreign nationals from removal proceedings if their financial circumstances classified them as inadmissible. It would provide foreign nationals with expanded background information on their sponsoring U.S. citizen and LPR spouses. It would also expand the annual number of U visas issued from 10,000 to 15,000 for a limited period and would expand the definition of abuse under the U visa provisions to include stalking.

On April 27, 2012, Representative Sandy Adams introduced H.R. 4970 (To reauthorize the Violence Against Women Act of 1994). It was referred to the House Judiciary Committee where it was reported favorably on May 8, 2012. H.R. 4970 and S. 1925 both include provisions that provide additional background information on restraining and protective orders issued against the sponsoring U.S. based petitioners, prohibit marriage brokers from marketing information about foreign nationals under age 18, extend VAWA coverage to derivative children of deceased petitioners, protect U visa petitioners under age 21 and derivative children of adult U visa petitioners from “aging out” of eligibility after filing a U visa petition, exempt petitioners from “public charge” grounds of inadmissibility, and allow U visa petitioners with conditional LPR status to obtain hardship waivers removing their conditional status. H.R. 4970 differs from S. 1925 in certain key respects. It includes provisions that would permit the Department of Homeland Security (DHS) to admit evidence from alleged abusers for purposes of adjudicating VAWA petitions, transfer the adjudication of VAWA petitions from its U.S. Citizenship and Immigration Services (USCIS) Vermont Service Center to local USCIS District Offices, require USCIS to interview VAWA petitioners in person, and allow USCIS to interview alleged abusers and other relevant witnesses. The House bill would change the standard of evidence for VAWA petitions from “any credible evidence” to “clear and convincing evidence” and would require USCIS to consider law enforcement investigations or prosecutions of alleged abusers, or the lack thereof, as evidence to support or reject VAWA petitions. It would mandate expedited removal and permanent ineligibility for lawful immigration status or public benefits for material misrepresentations occurring at any point in the VAWA petition process. Regarding U visas, H.R. 4970 would eliminate current LPR status eligibility for U visa recipients; maintain the current annual allocation of U visas at 10,000; mandate additional reporting requirements on U visa recipients from both DHS and the Government Accountability Office (GAO); and require that U visas be granted only while related crimes are under active investigation and require that the visa applicant help identify the accused if that information is unknown. Two potential concerns for Congress have been emphasized regarding the immigration provisions of VAWA. The first is whether the proposed VAWA reauthorization provides sufficient relief to foreign nationals abused by their U.S. citizen or LPR sponsoring relatives. Advocates for battered immigrants suggest that additional provisions are needed to assist this population in obtaining legal and economic footing independently of their original sponsors for legal immigrant status. Critics of expanding immigration, however, question the extent to which these provisions may increase the number of legal immigrants and cost the U.S. taxpayers. The second related concern is the degree to which VAWA provisions unintentionally facilitate marriage fraud. This may occur through what some perceive as relatively lenient standards of evidence to demonstrate abuse; as the unintended result of processing procedures between the District Offices of the U.S. Citizenship and Immigration Services (USCIS), which adjudicate most immigration applications, and the USCIS Vermont Service Center, which adjudicates VAWA petitions; or as an unintended consequence of the structure of current law. While some suggest that VAWA provides opportunities for dishonest and enterprising immigrants to circumvent U.S. immigration laws, reliable empirical support for these assertions is limited.

Chapter 3 – Domestic and dating violence in Indian country are at epidemic proportions. However, there is a practical jurisdictional issue when the violence involves a non-Indian perpetrator and an Indian victim. Indian tribes only have criminal jurisdiction over crimes

involving Indian perpetrators within their jurisdictions. Most states only have jurisdiction over crimes involving a non-Indian perpetrator and a non-Indian victim within Indian country located in the state. Although the federal government has jurisdiction over non-Indian on Indian crimes in Indian country, offenses such as domestic and dating violence tend to be prosecuted with less frequency than other crimes. This creates a practical jurisdictional problem.

Legislation introduced in the 112th Congress, the Violence Against Women Reauthorization Act (S. 1925 and H.R. 4271) and the SAVE Native Women Act (S. 1763 and H.R. 4154), would recognize and affirm participating tribes' inherent sovereign authority to exercise special domestic violence jurisdiction over domestic violence involving non-Indian perpetrators and Indian victims occurring within the tribe's jurisdiction. It is not clear whether Congress has authority to restore the tribes' inherent sovereignty over non-members, or whether such authority would have to be a delegation of federal authority. By contrast, the Violence Against Women Reauthorization Act of 2012 (H.R. 4970) does not provide for tribal jurisdiction over non-Indians for domestic and dating violence.

In a series of cases, the Supreme Court outlined the contours of tribal criminal jurisdiction. In *United States v. Wheeler*, the Court held that tribes have inherent sovereign authority to try their own members. In *Oliphant v. Suquamish Indian Tribe*, the Court held the tribes had lost inherent sovereignty to try non-Indians. The Court in *Duro v. Reina* determined that the tribes had also lost the inherent authority to try non-member Indians. In response to *Duro*, Congress passed an amendment to the Indian Civil Rights Act that recognized the inherent tribal power (not federal delegated power) to try non-member Indians. The Violence Against Women Reauthorization and the SAVE Native Women Act would apparently supersede the *Oliphant* ruling and "recognize and affirm the inherent power" of the tribes to try non-Indians for domestic violence offenses.

The Supreme Court stated in *United States v. Lara* that Congress has authority to relax the restrictions on a tribe's inherent sovereignty to allow it to exercise inherent authority to try nonmember Indians. However, given changes on the Court, and, as Justice Thomas stated, the "schizophrenic" nature of Indian policy and the confused state of Indian law, it is not clear that today's Supreme Court would hold that Congress has authority to expand the tribes' inherent sovereignty. It may be that Congress can only delegate federal power to the tribes to try non-Indians.

The dichotomy between delegated and inherent power of tribes has important constitutional implications. If Congress is deemed to delegate its own power to the tribes to prosecute crimes, all the protections accorded criminal defendants in the Bill of Rights will apply. If, on the other hand, Congress is permitted to recognize the tribes' inherent sovereignty, the Constitution will not apply. Instead, criminal defendants must rely on statutory protections under the Indian Civil Rights Act or tribal law. Although the protections found in these statutory and constitutional sources are similar, there are several important distinctions between them. Most importantly, if inherent sovereignty is recognized and only statutory protections are triggered, defendants may be subjected to double jeopardy for the same act; may not be able to exercise fully their right to counsel; may have no right to prosecution by a grand jury indictment; may not have access to a representative jury of their peers; and may have limited federal appellate review of their cases.

Chapter 4 – Statement of Susan B. Carbon, Director of the Office on Violence Against Women.

Chapter 5 – In November 2006, the authors reported that since 2001, the amount of national research that has been conducted on the prevalence of domestic violence and sexual assault had been limited, and less research had been conducted on dating violence and stalking.⁸ At that time, no single, comprehensive effort existed that provided nationwide statistics on the prevalence of these four categories of crime among men, women, youth, and children. Rather, various national efforts addressed certain subsets of these crime categories among some segments of the population and were not intended to provide comprehensive estimates. For example, HHS's Centers for Disease Control and Prevention's (CDC) National Violent Death Reporting System, which collects incident-based data from multiple sources, such as coroner/medical examiner reports, gathered information on violent deaths resulting from domestic violence and sexual assaults, among other crimes.⁹ However, it did not gather information on deaths resulting from dating violence or stalking incidents.

In their November 2006 report, the authors noted that designing a single, comprehensive data collection effort to address these four categories of crime among all segments of the population independent of existing efforts would be costly, given the resources required to collect such data.

Furthermore, it would be inefficient to duplicate some existing efforts that already collect data for certain aspects of these categories of crime. Specifically, in their November 2006 report, the authors identified 11 national efforts that had reported data on certain aspects of domestic violence, sexual assault, dating violence, and stalking. However, limited national data were available to estimate prevalence from these 11 efforts because they (1) largely focused on incidence rather than prevalence, (2) used varying definitions for the types of crimes and categories of victims covered, and (3) had varying scopes in terms of incidents and categories they addressed.

Chapter 6 – This chapter provides the current findings on nonfatal and fatal violent crimes committed against females. Data are from the Bureau of Justice Statistics' National Crime Victimization Survey (NCVS), 1993 to 2008, and the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting Program's (UCR) Supplementary Homicide Reports (SHR), 1993 to 2007 (the most recent data available). The report focuses on nonfatal intimate partner violence (IPV), fatal IPV, rape and sexual assault, and stalking. It includes estimates of the extent of crimes against females and the characteristics of crimes and victims. Crime trends are also presented, along with comparative estimates of crimes against males.

Chapter 7 – During a 12-month period, an estimated 3.4 million persons age 18 or older were victims of stalking. Stalking is defined as a course of conduct directed at a specific person that would cause a reasonable person to feel fear. The Supplemental Victimization Survey (SVS), which is the basis of this report, was conducted in 2006.

The SVS identified seven types of harassing or unwanted behaviors consistent with a course of conduct experienced by stalking victims. The survey classified individuals as stalking victims if they responded that they experienced at least one of these behaviors on at least two separate occasions. In addition, the individuals must have feared for their safety or that of a family member as a result of the course of conduct, or have experienced additional threatening behaviors that would cause a reasonable person to feel fear.

The SVS measured the following stalking behaviors:

- making unwanted phone calls
- sending unsolicited or unwanted letters or e-mails

- following or spying on the victim
- showing up at places without a legitimate reason
- waiting at places for the victim
- leaving unwanted items, presents, or flowers
- posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth.

While individually these acts may not be criminal, collectively and repetitively these behaviors may cause a victim to fear for his or her safety or the safety of a family member. These behaviors constitute stalking for the purposes of this study. The federal government, all 50 states, the District of Columbia, and U.S. Territories have enacted laws making stalking a criminal act, although the elements defining the act of stalking differ across states (see box, Stalking laws).

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Chapter 1

THE VIOLENCE AGAINST WOMEN ACT: OVERVIEW, LEGISLATION, AND FEDERAL FUNDING*

Lisa M. Seghetti and Jerome P. Bjelopera

SUMMARY

In 1994, Congress passed the Violence Against Women Act (VAWA, P.L. 103-322). The act was intended to change attitudes toward domestic violence, foster awareness of domestic violence, improve services and provisions for victims, and revise the manner in which the criminal justice system responds to domestic violence.

This legislation created new programs within the Departments of Justice and Health and Human Services that aimed to both reduce domestic violence and improve response to and recovery from domestic violence incidents. VAWA primarily addresses certain types of violent crime through grant programs to state, tribal, and local governments; nonprofit organizations; and universities. VAWA programs target the crimes of intimate partner violence, dating violence, sexual assault, and stalking.

In 1995, the Office on Violence Against Women (OVW) was created administratively within the Department of Justice to administer federal grants authorized under VAWA. Since its creation, the OVW has awarded more than \$3 billion in grants. While the OVW administers the majority of VAWA authorized grants, other federal agencies, including the Centers for Disease Control and Prevention and the Office of Justice Programs, also manage VAWA grants.

Since 1994, VAWA has been modified and reauthorized several times. In 2000, Congress reauthorized VAWA, enhanced federal domestic violence and stalking penalties, added protections for battered immigrants, and added new programs for elderly and disabled women. In 2005, Congress again reauthorized VAWA. The legislation enhanced penalties for repeat stalking offenders; added protections for battered and trafficked immigrants; and added programs for sexual assault victims and American Indian victims, and programs designed to improve the public health response to domestic violence. Authorization for appropriations for the programs under VAWA expired in 2011.

* This is an edited, reformatted and augmented version of a Congressional Research Service publication, CRS Report for Congress R42499, from www.crs.gov, prepared for Members and Committees of Congress, dated May 10, 2012.

Several bills have been introduced in the 112th Congress that would reauthorize VAWA. On February 2, 2012, the Senate Judiciary Committee ordered reported the Violence Against Women Reauthorization Act of 2011 (S. 1925), and on April 26, the Senate amended and passed S. 1925. This bill was met with some opposition. For example, in the Senate Judiciary Committee Report (S.Rept. 112-153) and during the Executive Business Meeting of the Senate Judiciary Committee, concerns were raised regarding a proposed increase to the cap on the number of U-Visas available for immigrants; a proposed addition to the number of groups given special consideration as underserved populations; a proposed increase of jurisdictional power for American Indian tribes; and the accountability of OVW grantees.

On April 27, 2012, Representative Adams introduced the Violence Against Women Reauthorization Act of 2012 (H.R. 4970). It differs in substantive ways from S. 1925 including with respect to the VAWA-related immigration provisions and in the populations it would include under its definition of underserved population. H.R. 4970 was met with some opposition in the House.

For example, concerns were raised during the markup of H.R. 4970 in the House Judiciary Committee with respect to new restrictions for immigration provisions under VAWA and the absence of special consideration for those who may be discriminated against based on gender identity or sexual orientation. Additionally, some Members sought increased jurisdictional powers for American Indian tribes, similar to provisions in S. 1925. On May 8, 2012, the House Judiciary Committee ordered reported H.R. 4970.

BACKGROUND AND HISTORY OF THE VIOLENCE AGAINST WOMEN ACT (VAWA)

The Violence Against Women Act (VAWA), currently due for reauthorization, was originally passed by Congress as Title IV of the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322). This act addressed congressional concerns about violent crime, and in particular, violence against women, in several ways. Among other things, it enhanced investigations and prosecutions of sex offenses by allowing for enhanced sentencing of repeat federal sex offenders; mandating restitution to victims of specified federal sex offenses; and providing grants to state, local, and tribal law enforcement entities to investigate and prosecute violent crimes against women.

Congressional passage of VAWA was ultimately spurred on by decades of growing unease over the rising violent crime rate and a focus on women as crime victims. Beginning in the 1960s, the violent crime rate rose steadily,¹ igniting concern from both the public and the federal government. Supplementing the concern for the nation's rising violent crime rate was the concern for violence against women. In the 1970s, grassroots organizations began to stress the need for attitudinal change regarding violence against women. These organizations sought a change in attitude both among the public as well as the law enforcement community.²

In the 1980s, researchers began to address the violence against women issue as well. For instance, Straus and Gelles collected data on family violence and attributed declines in spousal assault to heightened awareness of the issue by both men and the criminal justice system.³ The criminal justice system and the public were beginning to view family violence as a crime rather than a private family matter.⁴

In 1984, Congress enacted the Family Violence Prevention and Services Act (FVPSA, P.L. 98- 457) to assist states in preventing incidents of family violence and to provide shelter and related assistance to victims of family violence and their dependents. While FVPSA authorized programs similar to those discussed in this report and has reauthorized programs that were originally created by VAWA, such as the National Domestic Violence Hotline, it is a separate piece of legislation and beyond the scope of this report.

In 1994, Congress passed a major crime bill, the Violent Crime Control and Law Enforcement Act of 1994.⁵ Among other things, the bill created an unprecedented number of programs geared toward helping local law enforcement fight violent crime and servicing victims of violent crime.

In their introduction of the Violence Against Women Act, then-Senator Joseph Biden and Senator Barbara Boxer highlighted the weak legal response to violence against women by police and prosecutors.⁶ The shortfalls of legal response and the need for a change in attitudes toward violence against women were primary reasons cited for the passage of VAWA.⁷

Since it was enacted in 1994, Congress has twice reauthorized VAWA. The most recent authorization of appropriations for VAWA programs expired in FY2011. These programs, however, have continued to receive funding. On April 26, 2012 the Senate amended and passed the Violence Against Women Reauthorization Act of 2011 (S. 1925). On May 8, 2012, the House Judiciary Committee favorably reported the Violence Against Women Reauthorization Act of 2012 (H.R. 4970).

This report provides a brief legislative history of VAWA and an overview of the crimes addressed through VAWA. It then discusses legislation that would reauthorize VAWA and selected issues. The *Appendix* of this report outlines funding information for VAWA authorized programs from FY2008 through FY2012.

VIOLENCE AGAINST WOMEN ACT OF 1994

As mentioned, VAWA was originally passed by Congress as part of the broader Violent Crime Control and Law Enforcement Act of 1994. The Violence Against Women Act of 1994 (1) enhanced investigations and prosecutions of sex offenses and (2) provided for a number of grant programs to address the issue of violence against women from a variety of angles including law enforcement, public and private entities and service providers, and victims of crime. The sections below highlight examples of these VAWA provisions.

Investigations and Prosecutions

As passed in 1994, VAWA impacted federal investigations and prosecutions of cases involving violence against women in a number of ways. For instance, it established new offenses and penalties for the violation of a protection order as well as stalking in which an abuser crossed a state line to injure or harass another, or forced a victim to cross a state line under duress and then physically harmed the victim in the course of a violent crime. It also added new provisions to require states and territories to enforce protection orders issued by other states, tribes and territories. VAWA also allowed for enhanced sentencing of repeat

federal sex offenders. It also authorized funding for the Attorney General to develop training programs to assist probation and parole officers to work with released sex offenders.

In addition, VAWA established a new requirement for pretrial detention in federal sex offense or child pornography felony cases. It also modified the Federal Rules of Evidence to include new procedures specifying that, with few exceptions, a victim's past sexual behavior was not admissible in federal and civil cases of sexual misconduct.⁸ In addition, VAWA asked the Attorney General to study measures in place to ensure confidentiality between sexual assault or domestic violence victims and their counselors.

VAWA mandated restitution to victims of specified federal sex offenses, specifically sexual abuse as well as sexual exploitation and other abuse of children. It also established new provisions, including a civil remedy that allows victims of sexual assault to seek civil penalties from their alleged assailants,⁹ and a provision that allows rape victims to demand that their alleged assailants be tested for the HIV virus.

Grant Programs

VAWA created a number of grant programs and authorized funding for the programs for a range of activities including violence prevention, investigations and prosecutions, and victim services.

Violence Prevention

For instance, under VAWA, grants were authorized for capital improvements to prevent crime in public transportation systems as well as in public and national parks. It also expanded the Family Violence Prevention and Services Act (FVPSA)¹⁰ to include grants for youth education on domestic violence and intimate partner violence as well as to include grants for community intervention and prevention programs.

Investigations and Prosecutions

As mentioned, VAWA provided for federal grants to state, local, and tribal law enforcement entities to investigate and prosecute violent crimes against women. It established an additional grant to bolster investigations and prosecutions in rural areas. It also established a grant program to encourage state, local, and tribal arrest policies in domestic violence cases.

VAWA authorized grants for education and training for judges and court personnel in state and federal courts on the laws of rape, sexual assault, domestic violence, and other crimes of violence motivated by the victim's gender. It also authorized grants to assist state and local governments to enter data on stalking and domestic violence into national databases.

Victim Services

VAWA authorized the expansion of the Public Health Service Act¹¹ to include purpose areas for rape prevention education. Additionally, it expanded the purpose areas of the Runaway and Homeless Youth Act¹² to allow for grant funding to assist youth at risk of (or who have been subjected to) sexual abuse. VAWA reauthorized the Court-Appointed Special Advocate Program and the Child Abuse Training Programs for Judicial Personnel and

Practitioners. It also authorized funding for Grants for Televised Testimony by Victims of Child Abuse.

VAWA established the National Domestic Violence Hotline and authorized funding for its operation.¹³ It also authorized funding for battered women's shelters. VAWA also included special protections for battered immigrant women and children.¹⁴

Other VAWA Requirements

Beyond the criminal justice improvements and grant programs, VAWA included provisions for several other activities including

- requiring that the U.S. Postal Service take measures to ensure confidentiality of domestic violence shelters and abused persons' addresses;
- mandating federal research by the Attorney General, National Academy of Sciences, and Secretary of Health and Human Services to increase the government's understanding of violence against women; and
- requesting special studies on campus sexual assault and battered women's syndrome.

Office on Violence against Women

In 1995, the Office on Violence Against Women (OVW) was administratively created within DOJ to administer the grants authorized under VAWA.¹⁵ Since its creation, the OVW has awarded more than \$4.7 billion in grants and cooperative agreements to state, tribal, and local governments, nonprofit organizations, and universities.¹⁶ While the OVW administers the majority of VAWA authorized grants, other federal agencies, including the Centers for Disease Control and Prevention (CDC) and the Office of Justice Programs (OJP), also manage VAWA funds. See *Table A-1* for an outline of current VAWA authorized grant programs.

Categories of Crime Addressed through VAWA

VAWA grant programs address the needs of victims of domestic violence, sexual assault, dating violence, and stalking. VAWA treats these as distinct crimes which involve a wide range of victim demographics. For domestic violence, sexual assault, and stalking, the risk of victimization is highest for women.¹⁷ For dating violence, the risk of victimization is the same for both men and women.¹⁸

Victimization data on these crimes are available from two national surveys, the National Crime Victimization Survey (NCVS) and the Youth Risk Behavior Surveillance System¹⁹ and the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program.²⁰ UCR data vary from survey data because the UCR describes crimes that were reported to law enforcement while survey data describe self-reported crimes that were not necessarily