

VIOLENCE AGAINST WOMEN ACT (VAWA)

ISSUE

Congress passed the Violence Against Women Act (“VAWA”)¹ to protect victims and survivors of domestic abuse. Despite its name, VAWA protects both men and women. VAWA created laws that make interstate domestic violence a federal offense and that enforce protective orders across state and county lines. VAWA also provides for hotlines, shelters, and other comprehensive community services to help domestic violence victims. Passed in 1994, VAWA was reauthorized in 2000 and again in December 2005. The Episcopal Church has strongly supported VAWA.

BACKGROUND

Violence Against Women is an Urgent Criminal and Public Health Problem.

- Between 90 and 95% of domestic violence victims are women.²
- Domestic violence is the largest cause of injury to women between the ages of 15 and 44 in the United States – more than car accidents, muggings, and rapes combined.³
- By the most conservative estimate, each year 1 million women suffer nonfatal violence by an intimate.⁴ By other estimates, up to 4 million women are affected each year.^{5,6}
- Each year, an estimated 3.3 million children witness their mothers or female caretakers being abused.⁷
- Fifty-seven percent of homeless families identified domestic violence as a primary cause of homelessness.⁸
- The Bureau of National Affairs estimated that between \$3 and 5 billion is lost by businesses annually from increased absenteeism and lost productivity caused by domestic violence.⁹ Despite these great strides, great challenges still remain

VAWA History & Effectiveness

VAWA was the first comprehensive response to domestic violence coordinated across community and state lines. Enacted as part of the Violent Crime Control Law Enforcement Act of 1994, it originally provided for federal prosecution of interstate domestic violence and sexual assault crimes, guaranteed interstate enforcement of restraining orders, established protections for battered immigrants, and focused on underserved populations and Native victims of domestic violence and sexual assault.

In 2000, Congress reauthorized and improved VAWA. VAWA 2000 expanded to include the crimes of date violence and stalking and created a legal assistance program for victims. It also strengthened its protection of abused immigrants by establishing special visas and focusing on the trafficking of persons.

In the decade since VAWA was passed, much progress has been made to break the cycle of domestic violence:

- All states have anti-stalking laws.
- All states have laws that recognize date and/or spousal rape.
- More incidents are being reported. In 1998, 59% of women who suffered domestic violence reported it. In 1993, just 48% did. Since 1996, the National Domestic Violence Hotline has answered over 1 million calls.

Despite these great strides, great challenges remain:

- 70% of domestic violence victims are still without legal representation.
- Forty percent of girls age 14-17 know a girl their own age who has been hit or beaten by her boyfriend.
- Victims still often return to their abusers for lack of any other housing options.
- American Indian and Alaskan native women are victims at far greater rates than other American women.

109th CONGRESS

VAWA was reauthorized by Congress in December 2005.

GENERAL CONVENTION RESOLUTIONS RELATED TO THE VIOLENCE AGAINST WOMEN ACT

- Resolution 2000-D073: Support Legislation to Reduce Domestic Violence and Protect Victims.
- Resolution 2000-A057: Recognize Problem of and Support Efforts to Stop Trafficking of Women, Girls and Boys.
- Resolution 2000-C025: Urge Education, Prayer, and Local Response to Issues of Sexual and Domestic Violence.
- Resolution 1994-A055: Urge Government Funding in Matters Affecting the Health of Women.
- Resolution 1994-A049: Encourage Ministries that Respond to Violence Against Women.
- Resolution 1988-D064: Urge Training to Respond to Family Violence.

OTHER RESOURCES

- U.S. Department of Justice Violence Against Women site. <http://www.ojp.usdoj.gov/vawo/laws/vawa/vawa.htm>
- National Coalition Against Domestic Violence. <http://www.ncadv.org/>
- National Task Force to End Domestic Violence <http://www.vawa2005.org/>
- Family Violence Prevention Fund. <http://endabuse.org/resources/>
- National Organization for Women. <http://www.now.org/issues/violence/index.html>
- Legal Momentum's National Task Force to End Sexual and Domestic Violence Against Women. <http://www.legalmomentum.org/issues/vio/tfindex.shtml>
- Stop Family Violence. www.stopfamilyviolence.org
- U.S. Department of Health and Human Services, Office of Women's Health. <http://www.4woman.gov/owh/?404;http://www.4woman.gov:80/owh/violence.htm>
- American Bar Association. <http://www.abanet.org/domviol/home.html>

ENDNOTES

¹ Violence Against Women Act, 18 U.S.C.A. §§ 2261-2266.

² Bureau of Justice Statistics Selected Findings: Violence Between Intimates (NCJ-149259), Nov. 1994. Available at <<http://www.ojp.usdoj.gov/bjs/pub/pdf/vbi.pdf>> (last visited on 18 May 2005).

³ U.S. Fed. News, *Rep. Sanchez Speaks Out Against Domestic Violence*, March 14, 2005. Available at <http://www.lindasanchez.house.gov/index.cfm?section=news&article=2005_03_14_2101> (last visited on 18 May 2005). Rep. Sanchez cited the American College of Emergency Physicians.

⁴ Bureau of Justice Statistics, *Special Report: Violence Against Women: Estimates from the Redesigned Survey (NCT-154348)*, August 1995, p.3. Available at <<http://www.ojp.usdoj.gov/bjs/pub/pdf/femvied.pdf>> (last visited 18 May 2005).

⁵ *Id.*

⁶ American Psychological Association: Violence and the Family: Report of the American Psychological Association Presidential Task Force on Violence and the Family (1996), p. 10

⁷ *Id.* at p. 80.

⁸ The United States Conference of Mayors, *A Status Report on Hunger and Homelessness in America's Cities: 1999*, December, 1999, p. 94.

⁹ Gagnon, *Employee Liability for Workplace Violence*, *Crime Victims Litigation Quarterly* (National Victim Center Online 1997), as cited in *Cleveland v. Whitner*, 119 Ohio Misc. 2nd 100, 106 774 N.E.2d 788, 793 (Mun. Ct. 2002).