



SUMMARY OF SENATE-PROPOSED CHANGES FOR VAWA REAUTHORIZATION 2012

DEFINITIONS AND GRANT CONDITIONS

- Amends definition of “culturally specific” to return to original 2005 intent
- Adds “intimate partner” to eligible relationships in domestic violence definition
- Defines “population-specific” services and organizations
- Adds “rape crisis center” and “sex trafficking” definitions
- Amends rural definitions to include Tribes, Territories, and updated census data
- Improved “sexual assault”, “underserved”, and “victim services” definitions
- Improved confidentiality & privacy provisions
- Requires OVW conferral with field to assess & identify emerging issues
- Cross-references existing civil rights protections
- Increased audit and accountability provisions

TITLE I — ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VAW

Sec. 101. STOP

- Updated purpose areas re: sexual assault; 20% set-aside for sexual assault programming
- Clarification that funds may be used for projects serving LGBTQ victims
- Expanded list of consultations for state plan; heightened reporting requirements for states
- Reduces authorization from \$225M to \$222M

Sec. 102. Grants to encourage arrest policies and enforce protection orders

- Updated purpose areas re: training, rape kit backlog, multi-disciplinary teams
- 25% set-aside for sexual assault programming
- Reduces authorization from \$75M to \$73M

Sec. 103. Legal assistance for victims

- Caps pro bono activities at 10% of award
- Heightened requirements of legal expertise
- Reduces authorization from \$65M to \$57M

Sec. 104. Consolidation of grants to support families in the justice system

- Consolidates Courts, Save Havens, and some new (family court related) purposes, including training for custody evaluators and GALs
- Reduces authorization from \$25M to \$22M

Sec. 105. Sex offender management.

- Simple reauthorization

Sec. 106. Court-appointed special advocate program.

- Simple reauthorization

Sec. 107. Criminal provision relating to stalking, including cyber-stalking.

- Updates to criminal code

Sec. 108. Outreach and services to underserved populations

- Revises current underserved program; permits planning grants and implementation grants
- Authorized at \$2M plus 2% set-aside out of STOP and GTEAP

Sec. 109. Culturally specific services

- Minor improvements to ensure equitable distribution of funding

TITLE II — IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 201. Sexual assault services program.

- Amends the distribution structure for the formula grants for territories (.25%)
- Reduces authorization from \$50M to \$40M

Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking...

- Updated purposes areas re: sexual assault
- Reduces authorization from \$55M to \$50M

Sec. 203. Training and services to end violence against women with disabilities

- Unchanged from 2005
- Reduces authorization from \$10M to \$9M

Sec. 204. Training and services to end violence against and abuse of women in later life

- Adds permissible activities: public education, and training to non-core entities
- Adds to list of trainees: civil lawyers, health care, faith
- Reduces authorization from \$10M to \$9M

TITLE III — SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

Sec. 301. Rape prevention and education

- Creates baseline-funding structure
- Reduces authorization from \$80M to \$50M

Sec. 302. Creating hope through outreach, options, services, and education for children and youth

- Consolidation of 2 existing programs to fund early intervention and services for victimized youth in schools and the community
- Reduces authorization from \$30M to \$15M

Sec. 303. Grants to combat violent crimes on campuses

- Increases prevention and education programming
- Provides greater guidance to campuses on creating effective policies and procedures, providing effective victim services, and working collaboratively with local community agencies
- Reduces authorization from \$15M to \$12M

Sec. 304. Campus sexual violence, domestic violence, dating violence, & stalking education & prevention

- Amends the Clery Act to add domestic violence, dating violence, and stalking (sex offenses are already included) to the list of crime statistics that higher education institutions must report.
- Provides increased campus responsiveness to these crimes, better protection for victims and accountability for perpetrators
- No authorization; cost-free

TITLE IV— VIOLENCE REDUCTION PRACTICES

Sec. 401. Study conducted by the Centers for Disease Control and Prevention

- Reduces authorization from \$2M to \$1M

Sec. 402. Saving Money and Reducing Tragedies through Prevention (SMART Prevention)

- Consolidation of 2 existing programs providing prevention programming for children exposed to violence and strategies to engage men in preventing violence and includes new focus area on preventing teen dating violence
- Reduces authorization from \$37M to \$15M

TITLE V —STRENGTHENING THE HEALTHCARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Consolidation of grants to strengthen the healthcare system’s response

- Consolidation of 3 programs providing education to health professionals, grants to state-level partners to change policies, and research effective interventions in the health setting
- Reduces authorization from \$13M to \$10M

TITLE VI — SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 601. Housing protections for victims...

- Extends housing protections
- No authorization; cost-free

Sec. 602. Transitional housing assistance grants for victims.

- Reduces authorization from \$40M to \$35M

Sec. 603. Addressing the housing needs of victims.

- Reduces authorization from \$20M to \$8M

TITLE VII – ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

Sec. 701. National resource center on workplace responses to assist victims...

- Unchanged from 2005; continues authorization at \$1M

TITLE VIII – PROTECTION OF BATTERED IMMIGRANTS

Sec. 801. U nonimmigrant definition

- Adds stalking to list of eligible crimes

Sec. 802. Annual report on immigration applications made by victims of abuse.

Sec. 803. Protections for children of VAWA self-petitioners

- Adds derivative beneficiaries of VAWA self-petitioners

Sec. 804. Public charge

- Exempts VAWA self-petitioners from exclusion based on poverty

Sec. 805. Requirements applicable to U-visas.

- Makes available unused U visas from previous years

Sec. 806. Hardship waivers.

- Hardship waiver available to battered spouses

Sec. 807. Protections for a fiancée or fiancé of a citizen

Sec. 808. Regulation of international marriage brokers.

- No fiancé visa issued if petitioner has history of CPO
- Increased penalties for marriage brokers who violate law
- Increases reporting requirements re: IMBRA

Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.

Sec. 810. Removal of drunk drivers.

- Makes third drunk driving conviction a deportable offense

TITLE IX – SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian Tribal governments

- Authorizes services to sex trafficking victims as an allowable purpose area
- Authorizes services to develop/promote legislation and policies to enhance response to violence against Indian women

Sec. 902. Grants to Indian Tribal coalitions

- Remove “individuals” as eligible grantees

Sec. 903. Consultation

- Requires the Department of Interior to participate in annual OVW consultation with tribes
- Mandates 120 day notice period
- Adds “sex trafficking” to the list of enumerated topics on which tribes should submit recommendations

Sec. 904. Tribal jurisdiction over crimes of domestic violence

- Restores tribal criminal jurisdiction over all persons committing domestic violence, dating violence, and violation of protection orders within Indian country.

Sec. 905. Tribal protection orders

- Reinforces full civil jurisdiction of tribal courts to issue and enforce CPOs over all persons.

Sec. 906. Amendments to the federal assault statute

- Provides 10 year offense for assaulting a spouse, intimate partner, or dating partner by strangling or suffocating
- Provides a 5 year offense for assaulting a spouse, intimate partner, or dating partner resulting in substantial bodily injury
- Provides a 1 year offense for assaulting a person by striking, beating, or wounding

Sec. 907. Analysis and research on violence against Indian women

- Adds sex trafficking to current purpose areas
- Increases accountability
- Adds Alaska Native Villages to the baseline study

Sec. 908. Effective dates; pilot project

TITLE X — OTHER MATTERS

Sec. 1001. Criminal provisions relating to sexual abuse.

Sec. 1002. Sexual abuse in custodial settings.

- Expands protections against sexual assault in custody