

WomanView

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Legislation Reauthorizing the Violence Against Women Act Introduced in Congress

The Violence Against Women Act (VAWA) of 2005 has been introduced in the Senate by Senators Joseph R. Biden (D-DE), Orrin Hatch (R-UT), and Arlen Specter (R-PA) (S. 1197), and in the House of Representatives by Representatives Mark Green (R-WI) and John Conyers Jr. (D-MI) (H.R. 2876). VAWA 2005 reauthorizes several existing provisions and introduces new ones that aim to end domestic violence, dating violence, sexual assault, and stalking. Although similar, the Senate and House bills are not identical. Below is a summary of some of S. 1197's provisions.

Title I strengthens judicial and law enforcement tools to combat violence against women by reauthorizing

- the Services and Training for Officers and Prosecutors (STOP) program;
- the Court-Appointed Special Advocate (CASA) program; and
- grants to develop and strengthen programs and policies that encourage police officers to arrest abusers who commit acts of violence or violate protection orders.

Also, Title I creates a program to educate courts and court-related personnel in the areas of domestic violence, dating violence, sexual abuse, and stalking in order to improve internal court functions, responses, and procedures. Title I also aims to prevent cyberstalking and improves the existing federal stalking law by criminalizing stalking surveillance.

Title II reauthorizes and expands existing education, training, and services grant programs that address violence against women in rural areas, women with disabilities, and elderly women. Title II also improves services for victims of domestic violence, dating violence, sexual assault, and stalking by creating a separate and direct funding stream dedicated to sexual assault services. With this new funding stream, the Department of Justice can distribute funds to states, sexual violence coalitions, and tribes to enable them to provide services—such as intervention and advocacy—to adult, youth, and child sexual assault victims, their families, and household members.

Title III addresses violence experienced by youth by reauthorizing

- the Rape Prevention and Education Program;
- grants to reduce violence against women on school campuses; and
- a Department of Justice grant program that aims to increase the availability of supervised visitation centers to reduce domestic violence and child abuse during parental visitation.

Title III creates a program that promotes collaboration between organizations, such as courts, child welfare agencies, and domestic and sexual violence service providers, to understand and respond better to the violence experienced or committed by youth. Title III also amends a law to permit existing funds to be used to provide needed services to girls who enter the juvenile justice system and who are victims of violence and abuse.

Title IV creates programs that seek to foster healthy families and relationships. For example, one program provides services to children who have been exposed to domestic violence, dating violence, sexual assault, or stalking in order to mitigate the effects of such exposure to violence. Another program seeks to help men and youth develop respectful, nonviolent relationships.

Title V creates grants to increase awareness about domestic and sexual violence among health care providers by training them and students in health professional schools to recognize and respond appropriately to domestic and sexual violence.

Title VI takes measures to ensure housing opportunities and safety for victims of violence. Title VI authorizes grants to the U.S. Department of Health and Human Services to fund collaborative efforts to place survivors of domestic violence into long-term housing as soon as such placement is safe and reasonable and provide services to help individuals and families remain housed, among several purposes. Title VI also amends existing laws to protect the confidentiality of those who are victims of domestic violence, dating violence, sexual assault, and stalking and who seek housing assistance, and to make known that an individual's status as a victim of such violence may not be the basis of denial of program assistance by a public housing authority.

Title VII helps provide economic security for workers who are victims of violence by, for example, permitting eligible employees to take up to 10 days of unpaid leave during a 12-month period to address domestic violence, dating violence, sexual assault, or stalking. Title VII also provides a grant to a private, nonprofit entity or tribal organization to establish and operate a national clearinghouse and resource center to give information to employers, labor organizations, and advocates to help victims of domestic violence, dating violence, sexual assault, and stalking.

Title VIII aims to protect trafficked immigrants. For example, it allows trafficked victims in the United States with T or U visas to be joined by their spouse, children, parents, and unmarried siblings under 18. Title VIII also has protection provisions for battered immigrants—for example, expanding the scope of VAWA immigration relief to allow noncitizen parents who are abused by their adult U.S. citizen son or daughter to seek relief under VAWA.

Finally, Title IX addresses violence against Native American women in several ways. For example, it provides a fund for a national baseline study to examine violence against Native American women and the effectiveness of federal, state, local, and tribal responses. Title IX also amends existing criminal law to prohibit persons convicted of a qualifying misdemeanor crime of domestic violence under tribal law from possessing firearms.

To read the full text of VAWA 2005 (S. 1197 or H.R. 2876) or to stay informed about congressional actions on these bills, go to <http://thomas.loc.gov/home/thomas.html> and search for the bills by number.

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