



VIOLENCE AGAINST WOMEN ACT 2005

TITLE I – CRIMES AND COURTS

STOP GRANTS

As a result of STOP grants, “victims are safer, better supported by their communities, and treated more uniformly and sensitively by first-response workers.”¹ And, many state agencies now work more effectively together, streamlining services and increasing efficiency, which results in better victim services.² 64% of STOP Grant recipients enhanced or improved services they had previously offered; 44% added new victim services; 45% provided increased amounts of core services to victims.³

Positive interactions between victim services, victims, law enforcement, prosecution and the courts increased the likelihood of positive outcomes for victims of domestic violence, dating violence, sexual assault and stalking.⁴ STOP grant recipients reported the increased benefits that training offered in enhancing positive interactions between victims and service providers.⁵

STOP GRANTS IMPROVEMENTS

- Authorizes \$225 million for five years
- Provides greater support for emergency and long-term victim services, while encouraging the development of innovative practices
- Provides new definitions of key crimes and practices for all VAWA grant programs
- Strengthens definitions and distribution language to ensure better support for programs serving racial and ethnic groups
- Adds language to include racial and ethnic minorities in the state planning process

GRANTS TO ENCOURAGE ARREST AND ENFORCE PROTECTION ORDERS

Law enforcement officers benefit from training about domestic violence, dating violence, sexual assault, and stalking cases: officers work more effectively with victims; as a result, victims participate more willingly with justice system efforts to address crimes against them.⁶ Grants to Encourage Arrest funding increased domestic violence arrests from 35%-52%⁷ by supporting

specialized domestic violence police units; other

grantees reported that increased arrests resulted in decreased repeat behavior by domestic violence offenders⁸ and improved prosecution rates.⁹

VAWA 1994 supported coordinated criminal justice system responses, producing better outcomes for both victims and communities impacted by domestic violence, dating violence, sexual assault and stalking.¹⁰

In San Diego County, specialized police units were trained to deal with victims non-judgmentally and sensitively, resulting in greater victim safety and satisfaction.¹¹

GRANTS TO ENCOURAGE ARREST AND ENFORCE PROTECTION ORDERS IMPROVEMENTS

- Reauthorizes funding at \$85 million for 5 years
- Establishes funding for the Family Justice Center program
- Adds nongovernmental victim services programs to the list of eligible grantees
- Improves language to deter dual arrests
- Adds civil courts to training purpose area
- Adds sexual assault to scope of work authorized
- Encourages community policing protocols in addressing domestic violence and sexual assault

LEGAL ASSISTANCE FOR VICTIMS

Despite the availability of victim services, almost 70% are without representation.¹² In a study conducted by the New Hampshire state court, in 97% of domestic violence cases, at least one party acts without an attorney, creating ethical conflicts for both lawyers and judges. The study emphasized the need for free and/or low cost legal services for victims of domestic violence.¹³

LEGAL ASSISTANCE FOR VICTIMS IMPROVEMENTS

- Authorizes \$60 million per year for five years

- Permits use of funding for teen, campus dating violence and child sexual abuse victims
- Creates new state planning grants of \$40,000 each to develop a comprehensive statewide legal assistance delivery program
- Allows grantees to help clients with related criminal justice system issues

COURT IMPROVEMENT PROGRAM

Reducing domestic violence, dating violence, sexual assault and stalking “hinges on judges providing clear and immediate consequences for those who batter.”¹⁴ Specialized training and resources help judges “ensure that their own courthouses treat victims fairly and compassionately . . . [and that they] help victims regain control over their lives and hold violators accountable.”¹⁵ Collaboration between the courts, attorneys, law enforcement and victim services providers improves court responses to domestic violence.¹⁶

VAWA has funded the National Judicial Institute (conducted by the National Council of Juvenile and Family Court Judges), which introduces judges to innovative ideas that enable them to improve their skills in handling the impact of domestic violence on victims and children, perpetrator behavior, protection order issuance and enforcement, custody and visitation in cases involving domestic violence, oversight of criminal cases, and cultural considerations in domestic violence cases.¹⁷

VAWA COURT IMPROVEMENTS

- Will improve court responses to domestic violence through training, improvement of court

case management, and the development of best practices

- Focus on improving internal court functions on both the civil and criminal divisions of courts
- Provide for victim services within the courthouse and court personnel education
- Includes discretionary grants for special projects
- Proposes the development of a national judicial training curriculum

TITLE I ALSO OFFERS

- Language prohibiting match requirements for all grantees
- Language for all VAWA programs ensuring confidentiality of victim information consistent with federal and state law, as well as funding for pilot projects to improve privacy protections for victims of domestic violence, dating violence, sexual assault and stalking

The programs described here are proposals under consideration for inclusion in the VAWA reauthorization bill that Members of Congress will introduce in early 2005. As the bill has not been finalized, we cannot be certain that the proposals will be included as described in this document.

¹ Burt, Martha R., Janine M. Zweig, Kathryn A. Schlichter, Stacy Kamyra, Bonnie Datz, Adele V. Harrell, “Evaluation of the STOP Formula Grants 2000 Report: The Violence Against Women Act of 1994” March 15, 2000.

² Id.

³ Id.

⁴ Zweig, Janine M., Martha R. Burt, Asheley Van Ness, “The Effects on Victims of Victim Service Programs Funded by the STOP Formula Grants Program”, February 01, 2003.

⁵ Aron, Laudan Y., Martha R. Burt, Adele V. Harrell, Lisa C. Newmark, Krista K. Olson, “Evaluation of the STOP Formula Grants to Combat Violence Against Women: The Violence Against Women Act of 1994 (1997 Report)”, March 17, 1997.

⁶ Finn, Mary A, “Effects of Victims’ Experiences with Prosecutors of Victim Empowerment and Re-Occurrence of Intimate Partner Violence, Final Report”. February 2004, p.102.

⁷ Pennell, Susan, Cynthia Burke, “Centralized Response to Domestic Violence: San Diego County Sheriff”, October 28, 2002.

⁸ Grover, Angela R. John M. MacDonald, Geoffrey P. Alpert, Irick A. Geary Jr., “Lexington County Domestic Violence Court: A partnership and Evaluation”, February 2004, p.90.

⁹ Id. at 91.

¹⁰ Id. at 91.

¹¹ Id.

¹² Carter supra, at 73.

¹³ “Justice System Response: Court Clerks Spend Hours Helping People Without Lawyers” The Union Leader (Manchester NH), STATE EDITION, 2004 Union Leader Corp., June 21, 2004, p.B1

¹⁴ Enhancing Judicial Oversight in Domestic Violence Cases, http://www.vera.org/project/project1_1.asp?section_id=4&project_id=28

¹⁵ Carter, Terry, “Pour It On: Activists Cite Rising Need for Lawyers to Represent Domestic Violence Victims”, ABA Journal, October, 2004, p.73.

¹⁶ Id.

¹⁷ Available at: <http://www.ncjfcj.org/dept/fvd/aboutfvd/main.cfm?Action=CURRPROJ>