



VIOLENCE AGAINST WOMEN ACT 2005

TITLE III – CHILDREN AND YOUTH

The Violence Against Women Act of 1994, reauthorized in 2000, has focused predominantly on violence against adult women. While it has worked effectively to improve services and responses to adult women, unfortunately youth and young adults have been left behind. Fourteen states do not include dating violence in their definition of domestic violence; in these 14 states, youth victims are not eligible for protection orders unless they have had a child with or live with the perpetrator. Very few states specifically allow minors to obtain protection orders. Also, children who grow up in homes where domestic violence, dating violence, sexual assault or stalking occur are more likely to become victims or perpetrators of domestic violence, dating violence, sexual assault and stalking themselves.ⁱ The Children and Youth portions of the proposed VAWA 2005 will prevent violence, through the treatment and education of youth and young adults. Work with the younger population will halt the cycle of violence at its origin -- in youth and young adults who witness or experience domestic violence, dating violence, sexual assault or stalking.

THE PROBLEM

- The Department of Justice consistently finds that girls and young women between the ages of 16 and 24 experience the highest rate of non-fatal intimate partner violence.ⁱⁱ
- Minors, under the age of 18, account for 67% of all sexual assault victimizations reported to law enforcement officials.ⁱⁱⁱ
- 1.8 million of the 22.3 million adolescents ages 12-17 in the U.S. have been victims of a serious sexual assault.^{iv}
- 8.8 million children in the United States witness domestic violence in the home each year.^v
- In one year over, 4,000 incidents of rape and sexual assault occurred in public schools across the country.^{vi}
- A desire for confidentiality and confusion about the law are two of the most significant barriers to youth seeking help with domestic or dating violence.^{vii}
- The first juvenile domestic violence court was instituted in 1999 in Santa Clara, California.^{viii} It is still the only court of its kind in the country.
- In a college survey, only 5% of all attempted or completed rapes were reported to law

enforcement.^{ix}

- 92% of female juvenile offenders interviewed reported they had been emotionally, physically or sexually abused prior to entering the juvenile justice system.^x
- One in three college assaults are committed by athletes.^{xi}
- According to one study, 5% of abusive fathers threaten during visitation to kill the mother, 34% of fathers threaten to kidnap their children and, 25% threaten to hurt their children.^{xii}

THE RESPONSE

The Children and Youth sections of the proposed VAWA 2005 will create programs to educate people working with youth and young adults on how to recognize, respond to, and provide appropriate services to youth and young adult victims and perpetrators of domestic violence, dating violence, sexual assault and stalking. Programs will also work with youth and young adults to inform them about how to prevent domestic violence, dating violence, sexual assault and stalking; as well as to make sure that tailored services are available and accessible to the youth population.

Grants will be authorized to create and improve youth services through various systems including, but not limited to: middle schools, high schools, colleges and universities, juvenile and family courts

(including tribal courts), law enforcement agencies, direct service providers, and sports organizations. The grants will promote collaboration of organizations to ensure effective and efficient services for youth and young adult victims. Other focuses are the prevention of violence during child visitation and planning for gender specific services in juvenile detention facilities.

These new programs will maintain the overreaching goal of ensuring safety and confidentiality in youth and young adult domestic violence, dating violence, sexual assault and stalking reporting and services.

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 here in this document.

ⁱ Report of American Psychological Association Presidential Task Force on Violence and the Family, APA, 1996.

ⁱⁱ Department of Justice, Bureau of Justice Statistics, "Intimate Partner Violence and Age of Victim, 1993-1999." October 2001.

ⁱⁱⁱ Finkelhor, David and Ormrod, Richard *Characteristics of Crimes Against Juveniles*, Juvenile Justice Bulletin, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, June 2000.

^{iv} Kilpatrick, Dean, and Saunders, Benjamin. "The Prevalence and Consequences of Child Victimization," April 1997, U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

^v Id.

^{vi} U.S. Department of Education, 1997. (The number of rapes and sexual assaults in school is no longer captured/reported by the Department of education as a separate group. All rapes and sexual assaults are categorized with other violent crimes.)

^{vii} Veronique Autphenne, Amy Gluckim, and Ellen Iverson, *Teen Relationship Abuse: Regional Needs Assessment*. Children's Hospital/Los Angeles, Division of Adolescent Medicine, funded by the California Department of Health Services, Maternal and Child Health Branch/Domestic Violence Section, 2000.

^{viii} I. Sagatun-Edwards, E. Hyman, et al. "The Santa Clara County Juvenile Domestic and Family Violence Court," *Journal of the Center for Families, Children & the Courts* (2003).

^{ix} Bonnie S. Fisher, Francis, T. Cullen, & Michael G. Turner. *The Sexual Victimization of College Women*. Bureau of Justice Statistics, U.S. Department of Justice, 2000.

^x *Investigating in Girls: A 21st Century Strategy*, Juvenile Justice Journal Volume VI, no. 1, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, 1999.

^{xi} Kelley Beacar Vlahos, *Kobe Case Draws Attention to Athlete Allegations*, <http://www.foxnews.com/story/0,2933,103248,00.html> (Accessed May 23, 2004).

^{xii} Joan Zora, *Protecting the Children in Custody Disputes When One Parent Abuses the Other*, 29 CLEARINGHOUSE REV. 1113, 119 (1996).