

Testimony of
Ms. Lynn Rosenthal

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Mr. Chairman and members of the Subcommittee, on behalf of the National Network to End Domestic Violence, thank you for providing the opportunity for me to share with you our views on the critical role of the Violence Against Women Office. The National Network is a network of statewide domestic violence coalitions around the country, who in turn represent more than 2,000 local domestic violence shelters and programs, and hundreds of thousands of battered women and their children.

In particular, I want to thank you, Senator Biden, for your landmark report "Violence Against Women: A Week in the Life of American Women" prepared by the Senate Judiciary in October of 1992. This report, a snapshot of the lives of women across the country, graphically described 200 incidents of domestic and sexual violence that occurred in just one week of one year. This report had a profound impact on my personal commitment to end violence against women, and many times over the past ten years I have returned to this report when I have needed inspiration and guidance to continue this important and often difficult work. It is this report that I begin with today.

September 1, 1992 12:45 a.m.: Rural California- "A woman with five children is physically abused by her husband. He punches her in the head with his fist. She sustains bruises. She escapes and runs to a friend's house for the night. She reports that she is afraid to call the sheriff because her husband threatens to take their 11-month old baby."

September 1, 1992 late afternoon: Maine- "A woman in her early twenties is thrown out of her trailer home by her boyfriend as her two sons, ages two and three, watch. Bruised and cut she attempts to leave with her sons. The two-year old child is taken from her by her boyfriend and she is ordered to leave and threatened with further violence. She departs her home with one of her children, but does not contact the police"

What might be different today for these women and countless like them because of the Violence Against Women Act? Because of VAWA, hundreds of police officers have been trained in the dynamics that keep these women trapped in violence relationships, and now play leadership roles in their communities. Because of VAWA, legal assistance is available for women facing the devastating fear of losing their children to perpetrators. Because of VAWA, more women reach out for help, seek shelter, obtain protective orders and are treated with dignity and respect by law enforcement officers. It was VAWA's critical focus on victim safety and offender accountability that brought about these important changes in our culture.

In retrospect, Congress conceived a brilliant formula for successful implementation of VAWA. Congress provided the states with critical funds and policy direction through the state formula grants and discretionary programs such as the pro arrest grants, rural, tribal, legal assistance to victims, research and training and technical assistance programs that collectively comprise the Violence Against Women Act.

But there is another partner to thank in this work, a partner who often works quietly but tirelessly to ensure that Congress' intent and the needs of the field are never forgotten as the day-to-day work in the field continues. That partner is the Violence Against Women Office.

First established as a high-level Office in Main Justice with full access to the policy-making and implementation functions of the Department, VAWO and its expert staff created a national awareness about the impact of violence against women that had never existed before. Within weeks of being appointed as the first director of VAWO, Bonnie Campbell was inundated with requests for help and technical expertise from the national and international leaders. Governors called, asking VAWO to help them plan statewide strategies for addressing domestic violence, sexual assault, and stalking. Leaders in government from other countries asked VAWO to share the U.S.'s groundbreaking legislation and methods with them. The Director of VAWO was a leader of the U.S. delegation to the U.N. World Conference on Women in Beijing.

These images of leadership greatly inspired the work of those of us on the frontlines, many of whom had been struggling for many years with limited resources and lack of public attention to the bruised and bleeding women we were seeing in our programs every day. The vision of a Presidentially-appointed, highly placed spokesperson galvanized the work at the state and local level. State and local legislators and policy makers were impressed with the strong commitment shown by the Department of Justice to ending violence against women, and became inspired to become leaders themselves in this battle.

The work of advocates at the state and local level was made easier and more effective because VAWO took on the equally important challenge of coordinating the interagency work that VAWA mandated. Your vision for ending violence against women was broad. VAWA created numerous grant programs in DOJ that required coordination with the grant programs in HHS, created new federal crimes, established new federal immigration rights, required states to honor each other's protection orders, established standards for the local issuance of protection orders and arrests of perpetrators of domestic violence, sexual assault, and stalking, and required state and local communities to come together in multidisciplinary efforts to develop policy and strategies for dealing with violence against women.

The number of agencies and offices required to carry out these substantive responsibilities is stunning. VAWA's mandates impact the U.S. Attorneys' Offices, the INS, the FBI, HHS, the Civil and Criminal Divisions of DOJ, even parts of HUD, Labor, and DoD. Leadership was needed to coordinate these far-reaching implementation efforts - and VAWO stepped ably into that role, convening the National Advisory Council (an unprecedented public and private partnership of business, government, and public service sectors) and working with the various federal entities charged with the work of implementing VAWA. If VAWO had not been there, it is hard to imagine how the demand for federal and state coordination, leadership, and policy guidance could have been met.

When VAWO was housed in Main Justice, the director and her staff were able to work with other components of DOJ and other federal agencies to develop comprehensive policies regarding the implementation of VAWA. For example, the Full Faith and Credit Provision of VAWA 1994 simply said that states shall honor sister jurisdictions protective orders. The plain language of this provision did not explain how a state would know another state's protective order is valid, nor did it say whether or not a state must establish a protective order registry to implement this law. These are the practical concerns of turning a visionary law into a reality. VAWO led a collaborative effort that included the DOJ Office of Policy Development and the Executive Office of the U.S. Attorneys to develop practical policy guidelines that make it possible for all states, territories and tribes to make good use of the Full Faith and Credit Provision of VAWA. When VAWO moved to the Office of Justice Programs, the responsibilities of the Office became more focused on the technical aspects of grant making and less on the policy issues that emerge

in building programs that addresses victim safety and offender accountability- the cornerstones of VAWA. This trend seems to have continued under the new administration, and is cause for great concern. Although we have made great strides in some ways, in others our work is just beginning. Our need for a vigorous, proactive Violence Against Women Office has not diminished.

The tremendous needs and gaps uncovered by VAWA in 1994 led to its reauthorization in 2000, and the work at the state and local level has become more, not less, complex. VAWA requires the criminal and civil justice systems to work together with community services. VAWA funds prosecutors, courts, law enforcement, victim services, community-based assistance programs, tribal governments, and state coalitions. This broad range of professionals in turn serves victims and survivors living in rural towns and large urban cities, as well as immigrant, disabled, and older victims of abuse. VAWA grants provide needed services in communities of color and communities of faith. And all of these services are provided in the context of a complex system of federal, state, local, and tribal laws.

Addressing all of these mandates, understanding all of these laws, and reaching all of these communities is a tough challenge on the state and local level. Now more than ever, we need an active, high-profile Violence Against Women Office to help establish baseline standards for this increasingly complex work, and to provide consistent interpretations as to how the mandates of VAWA are to be met.

We need an Office staffed with program managers and policy analysts that have subject matter expertise, not just grant-making skills. Three examples of VAWA programs speak vividly to this need for the combined functions of grant-making and policy analysis within the same office.

First, the Legal Assistance for Victims Program grantees might well call VAWO to ask for assistance in developing appropriate screening and conflicts protocol, or for help in developing policies to implement the new funding mandate that civil legal assistance be provided to sexual assault survivors. This new area of law requires guidance not simply on allowable expenses of a grant, but on what the civil legal needs are of such victims, and what challenges to expect in crafting these new programs. It takes a policy analyst familiar with these complicated issues to give the right answers or know how to find them. The lives of sexual assault survivors all across the country will be dramatically impacted by the answers to these questions.

Second, jurisdictions receiving Grants to Encourage Arrest funding need to know how the VAWA 2000 amendments to the Full Faith and Credit mandate of VAWA 1994 will impact their program practices. For example, states must certify that its laws, policies and practices do not require victims to bear costs associated with prosecution, filing, registration or service of a protective order. This requires not just grant managers who know the paperwork needed to meet the certification requirements, but policy experts who know how to craft changes in state law and policies to come into compliance with this new requirement.

Grantees of the Grants to Encourage Arrest and Enforce Protection Orders Program must also certify that their jurisdictions do not allow the issuance of mutual protection orders. If there is no legislative opportunity to satisfy this funding condition, grantees will turn to VAWO for expert guidance on alternative ways to meet this funding condition. A policy analyst must be available to speak to the various ways this requirement can be met, whether through changes in court rules or administrative memorandums. What may seem a technical certification requirement is so much more than a check on a grant application. Requiring states to prohibit the issuance of mutual protective orders as a condition of funding is about fulfilling the intent of VAWA to make systemic changes in the way states respond to critical issues of victim safety. We need look no

farther than the recent highly publicized protective order case in Kentucky to know the importance of such requirements.

Finally, the new immigration rights and procedures created by VAWA are numerous and complex; grantees of all the VAWA programs need technical assistance to help them understand when critical immigration issues arise and how grantees can best help immigrant victims of domestic violence, sexual assault, and stalking. This work must be done very carefully. The lives of whole families are in danger--this really is a matter of life and death.

It is more important than ever that The Department of Justice provides leadership and guidance, inspiration, and policy support for the local and state work on domestic violence, sexual assault, and stalking. Now, more than ever, states need a strong Violence Against Women Office. It is only through this leadership that we one day we will know for certain that a week in the life of American women is no longer a week filled with violence.