



Department of Justice

STATEMENT OF

**THE HONORABLE KATHARINE T. SULLIVAN
PRINCIPAL DEPUTY DIRECTOR
OFFICE ON VIOLENCE AGAINST WOMEN
U.S. DEPARTMENT OF JUSTICE**

BEFORE THE

**COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE**

FOR A HEARING ENTITLED

“THE NEED TO REAUTHORIZE THE VIOLENCE AGAINST WOMEN ACT”

PRESENTED

MARCH 20, 2018

**Statement of
The Honorable Katharine T. Sullivan
Principal Deputy Director
Office on Violence Against Women
U.S. Department of Justice**

**Before the
Committee on the Judiciary
United States Senate**

**For a Hearing Entitled
The Need to Reauthorize the Violence Against Women Act**

March 20, 2018

Introduction

Thank you, Chairman Grassley, Ranking Member Feinstein, and members of the Committee for the opportunity to speak with you today. My name is Katharine Sullivan, and I am the Principal Deputy Director of the Office on Violence Against Women (OVW) in the U.S. Department of Justice (Department). I am here today to discuss the work of OVW in implementing the Violence Against Women Reauthorization Act of 2013 (VAWA 2013). The original Violence Against Women Act (VAWA) and its subsequent reauthorizations have played a vital role in our collective efforts to respond to the crimes of sexual assault, domestic violence, dating violence, and stalking by enhancing victim safety and autonomy, increasing the availability of victim services, and improving offender accountability. Continuing to improve upon this work nationwide is a priority for the Trump Administration.

OVW's mission is to provide federal leadership in developing the nation's capacity to reduce violence against women and administer justice for and strengthen services to victims of sexual assault, domestic violence, dating violence, and stalking (hereafter referred to as "the four VAWA crimes"). OVW administers VAWA programs that provide financial support and technical assistance to communities across the country. In this capacity, OVW supports communities' efforts to end these crimes and reach underserved victims, enhances education and training, disseminates best practices, launches special initiatives, and leads the nation's efforts to end violence against women.

Currently, OVW administers four formula grant programs and 15 discretionary grant programs. Since its inception in 1995, OVW has awarded over \$7.6 billion in grants and cooperative agreements and has developed a multifaceted approach to implementing VAWA. VAWA funds have been awarded to states, territories, local governments, tribal governments, courts, police, prosecutors, nonprofit victim services organizations, colleges and universities, state, territorial, and tribal sexual assault and domestic violence coalitions, homeless service providers, and community-based programs. Congress has invested in VAWA grant programs for over two decades. Millions of victims have been served since VAWA's inception. Congress's ongoing

support of reauthorization will help ensure victims are provided with services to help them cope, heal, and achieve safety and justice.

Impact of the Violence Against Women Act

At the national level, VAWA authorizes programs and policies to improve the response to the four VAWA crimes. At the state and tribal levels, it fills resource gaps and supports coordinated solutions, from task forces and initiatives to standard policies and protocols. In local communities throughout the country, VAWA has opened doors for millions of people who have suffered violence and needed somewhere safe to go for help.

VAWA programs serve every state and territory in the nation as well as the majority of federally recognized tribes, providing education and training to law enforcement, prosecutors, judges, family law attorneys, and victim advocacy professionals. VAWA supports sexual assault victims by helping to ensure support for Sexual Assault Nurse Examiner medical forensic exams. VAWA also helps to provide access to transitional housing for victims and their children. By providing wrap-around services, VAWA ensures a powerful nationwide response to combatting sexual assault, domestic violence, dating violence, and stalking.

One beneficiary of VAWA grant dollars is Michigan's Sexual Assault Unit, which successfully prosecuted Larry Nassar, the former doctor for USA Gymnastics who sexually assaulted over 150 young women and girls. The OVW grant also assisted in providing access to services for Nassar's victims.

VAWA Funding Supports Victims Services and Holds Offenders Accountable

Across the United States, OVW grants support effective strategies for combatting domestic and sexual violence. OVW grantees reported the following:¹

- OVW discretionary grantees serve an average of 124,916 victims every six months with victim advocacy and other supportive services. Services Training Officers Prosecutors (STOP) Violence Against Women Formula (STOP Formula) Program funds serve more than 400,000 victims each year. Victim services staff funded through OVW grants and subgrants answer nearly one million hotline calls in a year and provide over two million housing and shelter bed-nights to victims and their children each year.
- Every year, VAWA-funded professionals (e.g., advocates, law enforcement personnel, and prosecutors) assist victims in securing more than 200,000 protection orders.
- Over a two-year period, OVW discretionary grantees trained 11,519 nurses, ensuring that they are equipped to competently and compassionately collect forensic evidence from victims' bodies, while tending to their medical needs. In 2016, STOP Formula funds paid salaries and wages for 34 full-time equivalent forensic nurses who performed nearly 10,000 medical forensic exams during the year.

¹ These data were reported by OVW grantees and subgrantees in their performance reports, and are published in biennial reports to Congress (available at <https://www.justice.gov/ovw/reports-congress>) and six-month program summaries (available at <http://muskie.usm.maine.edu/vawamei/summaryreports.htm>). References to a "recent two-year period" refer to July 2013 through June 2015, coinciding with OVW's most recent (2016) report to Congress.

- Every six months, Legal Assistance for Victims Program grantees provide legal assistance to an average of 28,553 victims. Over a recent two-year period, OVW discretionary grantees trained more than 45,000 attorneys and law students to better represent domestic violence victims in court and obtain safe custody and visitation arrangements for victims' children.
- OVW grants and subgrants pay the salaries of nearly 300 law enforcement officers at any given time. In one year, these officers' departments respond to more than 150,000 calls for service, investigate more than 150,000 cases, and refer more than 70,000 cases to prosecutors. In total, OVW discretionary grants support more than 50 specialized law enforcement units.
- More than 300 prosecutors' salaries are paid through OVW grants and subgrants in a given year, and their offices accept the majority of the 200,000 cases referred to them for prosecution. OVW discretionary grants support about 50 specialized prosecution units.
- Every six months, OVW discretionary grantees provide supervised visitation and safe exchange services to an average of 2,866 families, including 4,365 children.
- Over a recent two-year period, approximately 1,701 OVW grantees engaged in coordinated community response activities.
- Culturally Specific Services Program grantees serve an average of 3,445 victims every six months, using over 20 different languages.
- Nearly 40 domestic violence specialty courts are supported with OVW discretionary grants. VAWA-funded courts monitor an average of 1,824 offenders every six months.
- Over a recent two-year period, Campus Program grantees reached 275,409 incoming students through prevention education programming, including programming focused on bystander intervention.
- By training more than 700,000 people each year, OVW grantees and subgrantees ensure that justice and healthcare professionals, victim advocates, educators, volunteers, and others are equipped to respond competently and compassionately when a victim requests assistance.

Implementing the Violence Against Women Reauthorization Act of 2013

VAWA 2013 strengthened grant programs administered by OVW, and revised and enhanced other features of the law. This testimony highlights the impact of program changes on the projects funded by OVW, and on the work carried out at the state, tribal, local, and national levels by grantees, tribal governments, and federal prosecutors.

Increasing VAWA's Focus on Sexual Assault

VAWA 2013's emphasis on serving sexual assault victims and pursuing justice in their cases has strengthened the response to these crimes in many communities that benefit from OVW funding. Grantees report that more sexual assault victims are being served, more medical forensic exams are being performed, and more sexual assault cases are referred to prosecutors.

- The number of sexual assault victims receiving Improving Criminal Justice Responses (ICJR)-funded services increased by 114% between 2013 and 2016.

- In 2016, STOP subgrantees provided services to 6,940 more sexual assault victims than in 2013, a 14% increase in the number of sexual assault victims served.
- Between 2013 and 2016, STOP subgrantees reported a 16% increase in the number of sexual assault kits processed with grant funds – from 1,006 in 2013 to 1,166 in 2016.
- Prosecution offices receiving ICJR Program funds reported about 34% more sexual assault cases accepted in 2016 than in 2013 (809 in the first half of 2013 and 1,082 in the last half of 2016).
- STOP Program data show increases in these categories as well. Between 2013 and 2016, STOP-funded prosecutors reported a nearly 10% increase in the number of sexual assault cases accepted – from 3,560 cases in 2013 to 3,897 in 2016.
- Finally, ICJR-funded prosecutors’ offices reported an increase in convictions from these cases between 2013 and 2016. During the first half of 2013, ICJR-funded prosecutors’ offices reported that 69% of their felony sexual assault cases resulted in convictions (464 of 672 cases). By the end of 2016, ICJR-funded prosecutors’ offices reported that 80% resulted in convictions (602 of 752 cases), an 11 percentage point increase.

Enhancing Resources to Address Sex Trafficking

OVW grantees also serve on the front lines of the fight against commercial sexual exploitation. In particular, VAWA 2013 enabled grantees under the Tribal Governments Program, Tribal Coalitions Program, and a youth-focused program² to use funds to serve victims whose primary victimization is sex trafficking. VAWA 2013 also clarified that victim services and legal assistance can include services and assistance to victims of any of the four VAWA crimes who are also victims of severe forms of trafficking.³ OVW grantees report that victims of trafficking are very often victims of sexual assault or domestic violence. For example, the Maine Coalition to End Domestic Violence, a grantee of OVW’s ICJR Program, “of the 15 human trafficking victims served (in one six-month period), eight were trafficked by their current/former spouse or intimate partner, three were trafficked by a family or household member, and three were trafficked by a current or former dating partner.”

To improve victim services and justice system responses to victims of the four VAWA crimes who also are trafficked, OVW identified trafficking as a priority for its Fiscal Year (FY) 2018 grant-making. This priority is articulated in the FY 2018 funding announcements for five of OVW’s discretionary grant programs: Legal Assistance for Victims, Rural, ICJR, Consolidated Youth, and Justice for Families (the first three programs are OVW’s largest discretionary grant programs). By making trafficking a funding priority, OVW hopes to encourage a larger number of trafficking-focused applications than it has received in past years, and support communities

² Congress has never appropriated funds for the CHOOSE Children and Youth Program, which was authorized by VAWA 2013. Instead, since FY 2012, Congress has appropriated funds for a Consolidated Youth Program, which incorporates the purposes of four youth-focused programs that existed prior to VAWA 2013. Because the appropriations acts give OVW broad flexibility to shape the Consolidated Youth Program, and because Congress indicated its intent in VAWA 2013 to add sex trafficking as a primary victimization in OVW’s youth-focused grant funding, OVW has included services for youth victims of sex trafficking as an allowable activity under the Consolidated Youth Program.

³ 34 U.S.C. 12291(b)(4). VAWA 2013 incorporates the definition of “severe forms of trafficking in persons” found at 22 U.S.C. 7102, which encompasses both sex and labor trafficking.

that face significant challenges related to trafficking but do not have adequate resources to address the problem.

Reaching Underserved and Vulnerable Populations

VAWA 2013 recognized that efforts to eradicate domestic and sexual violence fall short when they do not account for the disproportionate and unique impact of these crimes on certain populations and authorized funding to improve services for these victims. In particular, VAWA 2013 revised the definition of “rural state” to include slightly more densely populated states. This change meant that all U.S. territories and five states (Iowa, Mississippi, Arizona, Vermont, and West Virginia) not previously designated as rural, or which had recently ceased to be counted as rural due to an increase in population density, became designated rural states and territories. Between FYs 2014 and 2017, OVW made 24 Rural Program awards totaling over \$14.4 million to entities in the newly eligible states and territories.

The Underserved Program, which VAWA 2013 expanded and funded by set asides from other appropriations, supports the development and implementation of strategies targeted at victims of the four VAWA crimes in underserved populations. OVW has made 46 Underserved Program awards totaling over \$15 million between FYs 2014 and 2017. Grantees serve over 1,000 victims and train several thousand people every six months.

Across OVW grant programs, about 10% of adult and youth victims served are men. For the two largest formula grant programs—the STOP and Sexual Assault Services Formula (SASP) Grant Programs—the percentage of victims served who are male has slightly increased over the past decade. About 9% of victims served by STOP and SASP subgrantees in 2009 were males; in 2016 that figure was 11.9% for STOP and 12.5% for SASP.

Strengthening the Civil and Criminal Justice Systems’ Responses to VAWA Crimes

VAWA 2013 authorized the Justice for Families Program (JFF), which is designed to improve the civil and criminal justice systems’ responses to families with histories of domestic and sexual violence. One quarter of JFF grantees use their funds for victim services, assisting a total of about 6,000 victims every six months. Nearly half of JFF grantees provide a safe and secure location with trained staff to conduct custody exchanges (approximately 35,000 exchanges over three years – January 2014 to December 2016) and supervised visitation (over 41,000 visits over the same three-year period). One fifth of current JFF grantees operate specialized courts or dockets. In the same three-year period, JFF grantees conducted more than 12,000 review hearings, during which judges and magistrates determine whether offenders are complying with the terms of their probation or other court orders.

Increasing the Provision of Legal Services

VAWA 2013 expanded the availability of legal services by adding comprehensive legal assistance as a permissible use of funds in certain grant programs. Rural Program grants with a legal services component increased from 27% in FY 2014 to 44% in FY 2016. Out of 88 JFF

grants awarded over the past four years, 41 include a legal services component. JFF grantees provide legal assistance to around 300 victims every six months.

Reducing Domestic Violence Homicides

OVW's investments over the past five years in implementing and researching homicide reduction models and studying their effectiveness is a direct reflection of how OVW grant funds can save lives. VAWA 2013 required that all STOP Formula grantees include homicide reduction strategies in their implementation plans and added purpose areas addressing homicide reduction in the ICRJ and Rural Programs.

OVW's Domestic Violence Homicide Prevention Initiative is an ongoing two-phase project designed to help communities reduce domestic violence homicides through the implementation and evaluation of domestic violence homicide prevention models. Results from a rigorous assessment of the models' effectiveness will be released in the coming year.

Recognizing the Authority of Tribes to Keep Their Communities Safe

In June 2013, the Department established an Intertribal Technical-Assistance Working Group on Special Domestic Violence Criminal Jurisdiction (ITWG). Approximately 45 tribes have voluntarily joined the ITWG, attending nine in-person meetings and participating in numerous webinars on subjects such as jury pools and selection, defendants' rights, victims' rights, and prosecution skills. The Department is supporting the ITWG with training and technical assistance, including an award by OVW to the National Congress of American Indians to support the ITWG's ongoing work.

Empowering Federal Prosecutors to Address Felony-level Domestic Violence in Indian Country

VAWA 2013 modernizes the federal criminal code by providing robust Federal sentences for certain acts of domestic violence in Indian country, including a ten-year offense for assaulting an intimate partner by strangling or suffocating. It is critically important to respond forcefully to these crimes, because almost half of all domestic violence victims have experienced at least one episode of strangulation before a lethal or near-lethal violent incident. These are high-risk offenders—and we can save lives by prosecuting them.

After passage of VAWA 2013, the Department sponsored training on public safety in tribal communities at our National Advocacy Center and throughout Indian country. From the beginning of FY 2014 through the end of Calendar Year (CY) 2017, federal prosecutors have indicted 252 defendants on strangulation or suffocation charges.

Improving Tribal Access to National Crime Information Databases

Tribes have noted that they faced barriers to accessing and entering information into national crime information databases. In August 2015, the Department initiated the Tribal Access Program for National Crime Information (TAP), under which the Office of the Chief Information Officer provides the technology and training tribes need to access national crime information

databases. The Department has selected a total of 47 tribes consisting of over 200 tribal agencies to participate in TAP. In addition, while using TAP, those tribes have entered or modified over 350 tribal court orders of protection into the National Crime Information Center.

The President's Budget request for FY 2019 specifically requests the authority to use funds previously appropriated to establish separate tribal registries for protection orders and sex offenders to support TAP instead. The Department believes that TAP can minimize the national crime information gap and result in more meaningful collaboration between the federal, state, local, and tribal criminal justice communities. The goal of creating tribal registries—using tribal protection orders and criminal histories to hold offenders accountable—will be better served by ensuring that this information is entered into national crime information databases and accessible to law enforcement both on and off tribal lands.

Continuing OVW's Strong Commitment to Effective Grant Administration

OVW has structures, policies, and tools in place to ensure that grant funds are put to the best possible use in communities combatting domestic and sexual violence, while enabling OVW staff to identify and closely monitor grants that carry an increased risk for mismanagement, fraud, waste, or abuse. OVW's monitoring approach helps spot and correct issues before they become problems, deters misuse of funds, and responds to challenges grantees face in the financial and programmatic management of federal grant funds.

Holding Grantees Accountable

OVW established its Grants Financial Management Unit (GFMU) in 2010. GFMU's knowledge of OVW programs and grantees, and its familiarity with the challenges faced in the administration of OVW programs, have enabled OVW to more closely scrutinize budgets and identify issues before they become problems, often before awards are even made. The services provided by GFMU include: 1) pre- and post-award financial grants administration; 2) technical assistance on financial issues and grants administration for OVW grant recipients, including a toll-free customer service line for direct assistance; and 3) financial grants management training for OVW grantees and program staff.

OVW has created manuals and other tools for staff on the management and monitoring of grant awards. These resources promote consistency and transparency by setting standardized policies and procedures. They include instructions, guidelines, policies, and job aides for performing activities associated with all stages of the grants management process. One example is the Grant Assessment Tool (GAT), an automated system through which staff objectively assess the risk that each grant award carries for financial or programmatic mismanagement and fraud, waste, and abuse. Using this tool, OVW Program Specialists set monitoring priorities each year based on a set of 13 criteria.

OVW monitors its grant awards to ensure financial and programmatic compliance and to avoid fraud, waste, and abuse. Grant monitoring also identifies grantees in need of training and technical assistance, which helps to avert potentially serious problems. OVW uses an electronic

monitoring module for tracking grant monitoring activities, including office-based reviews, onsite visits, and subsequent correspondence and corrective actions.

OVW grantees are required to submit a quarterly federal financial report (FFR, SF-425) documenting grant expenditures and obligations. They also submit detailed progress reports, every six months for discretionary programs and annually for two of OVW's formula programs. Progress reports capture quantitative (e.g., victims served, protection orders issued, staff positions funded) and qualitative (i.e., narrative information about project accomplishments and challenges) data that are reviewed by OVW staff for accuracy, completeness, compliance with grant requirements, and progress toward project goals.

As previously discussed, OVW uses the GAT to prioritize grants for onsite and office-based monitoring. OVW Program Specialists conduct monitoring activities throughout the year. In addition to grant monitoring performed by OVW Program Specialists and Financial Analysts, OVW contracts with the Department's Office of Justice Programs' Office of the Chief Financial Officer (OCFO) through a reimbursable agreement to conduct onsite and office-based financial monitoring of OVW grantees. OCFO uses GAT results and other selection factors to identify grants for financial monitoring, and OVW staff can conduct joint monitoring visits with OCFO.

Improving Grantee Performance

OVW funds training and technical assistance to support grantees in aligning their work with effective strategies. OVW also provides direct training and technical assistance to help grantees manage their grant funds, adhere to requirements, and implement effective programs. In CY 2016, OVW technical assistance providers reported training over 126,000 people, including law enforcement officers, victim advocates, prosecutors, judges, and more.

OVW launched its Research and Evaluation Initiative in FY 2016 to generate empirical knowledge about which OVW-funded strategies are most effective for serving victims and holding offenders accountable. Fifteen projects totaling over \$5.5 million are currently underway, and OVW expects these studies to identify the outcomes and impacts of various approaches to combatting domestic and sexual violence.

Conclusion

Again, I want to thank you, Chairman Grassley, Ranking Member Feinstein, and members of the Committee, for the opportunity to testify before you today about the importance of OVW's work in implementing VAWA. As a nation, we have made great strides. We have changed the way our communities respond to the four VAWA crimes. But, there is still work to do if we are to reach our collective goal of breaking the cycle of violence that plagues families and communities across our country. The Trump Administration is dedicated to building upon the achievements of VAWA and ending sexual assault, domestic violence, dating violence, and stalking.