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Violence Against Women: Recent Developments

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SUMMARY

There is now available new and more accurate data about the extent of violence against women. According to a newly designed Bureau of Justice Statistics survey, "women annually reported about 500,000 rapes and sexual assaults. . . ." Legislation proposing a Federal response to the problem of violence against women was first introduced in 1990. Over the next several years, congressional actions to address public concerns about this problem culminated in the enactment of new penalties under the Violent Crime Control and Law Enforcement Act of 1994, and the establishment of several grant programs under its Title IV, the Violence Against Women Act (P.L. 103-322). Within the FY1996 appropriations process, the House and Senate have approved funding for several programs under the Violence Against Women Act.

VIOLENCE AGAINST WOMEN: RECENT DEVELOPMENTS

There is now available new and more accurate data about the extent of violence against women. To date, the House has approved FY1996 funding to prevent such violence, including rape, sexual assault and domestic violence. Since 1994, a major source of funding has been grant programs authorized by the Violence Against Women Act (P.L. 103-322, Title IV) and funded in FY1995.¹

Statistics

Two years ago, the Department of Justice's Bureau of Justice Statistics (BJS) redesigned the *National Crime Victimization Survey (NCVS)* to obtain a more accurate reporting of incidents of rape and sexual assault. The *NCVS* obtains data

¹ For background information on violence against women, see: U.S. Library of Congress. Congressional Research Service. *Violence Against Women: An Overview*. Report No. 94-142, by Suzanne Cavanagh, Leslie Gladstone and David Teasley. Washington 1994. 19 p.; and *Domestic Violence: Data, Federal Programs, and Selected Issues*. Report No. 95-865, by Dale Robinson. Washington 1995. 12 p.



about criminal activity from a nationally representative sample of U.S. households. Each year, interviews are conducted of every person aged 12 and over in these households to measure crime from the victim's perspective. This approach differs from that of the Federal Bureau of Investigation's *Uniform Crime Reports (UCR)*, which is based solely on crimes reported to the police. BJS statisticians caution that the redesign of the survey means that the data "are not directly comparable to earlier estimates."² In addition, they note that despite their effort to obtain new information, those women surveyed may still be reluctant to provide information due to "the private nature of the event, the perceived stigma and the belief that no purpose would be served in reporting the crime. . . ."³

Based upon a nationally representative sample of U.S. households, the BJS reported the following findings:

- "Women age 12 or older annually sustained almost 5 million violent victimizations in 1992 and 1993. About three-quarters of all lone-offender violence against women and 45 % of violence multiple-offenders was perpetrated by offenders whom the victim knew. In 29% of all violence against women by a lone offender, the perpetrator was an intimate (husband, ex-husband, boyfriend or ex-boyfriend).
- Women were about 6 times more likely than men to experience violence committed by an intimate.
- Women annually reported about 500,000 rapes and sexual assaults to interviewers. Friends or acquaintances of the victims committed over half of these rapes or sexual assaults. Strangers were responsible for about 1 in 5.
- Women of all races were about equally vulnerable to violence by an intimate.
- Among victims of violence committed by an intimate, the victimization rate of women separated from their husbands was about 3 times higher than that of divorced women and about 25 times higher than that of married women. Because the *NCVS* reflects a respondent's marital status at the time of the interview, which is up to 6 months after the incident, it is possible that separation or divorce followed the violence.

² U.S. Department of Justice. Press Release: Women Usually Victimized by Offenders They Know. August 16, 1995. p. 3.

³ *Ibid.*, p. 4.

- Female victims of violence by an intimate were more often injured by the violence than females victimized by a stranger.⁴

The *UCR* reported 104,810 forcible rapes in 1993, a 3.9 percent decrease from the previous year. Between 1989 and 1993 the number of known rape offenses increased by 10.9 percent.⁵ Also, during 1993, 5,278 women were victims of murder, of which 928 were murdered by their husbands and 603 were murdered by boyfriends.⁶

LEGISLATION

Legislation proposing a Federal response to the problem of violence against women was first introduced in 1990. Over the next several years, congressional actions to address public concerns about this problem culminated in the enactment of new penalties under the Violent Crime Control and Law Enforcement Act of 1994, and the establishment of several grant programs under its Title IV, the Violence Against Women Act (P.L. 103-322).⁷

FY1995 Funding Under the Violence Against Women Act

The Violence Against Women Act creates a number of new grant programs.⁸ Within the Department of Justice's National Institute of Justice, a new Violence Against Women Office was created to administer these programs, with former Iowa Attorney General Bonnie Campbell as director.⁹

In FY1995, the Violence Against Women Act (VAWA) received an appropriation of \$1 million for the National Domestic Violence Hotline, to be administered by the Department of Health and Human Services. In addition, the Department of Justice (DoJ) will administer an appropriation of \$26 million, to be used for law enforcement, prosecution, and victim services grants to reduce violence against women.

On March 21, 1995, DoJ announced the initiation of the STOP—Services, Training, Officers, Prosecutors—Violence Against Women Formula Grant Program. As of August 1995, DoJ has awarded approximately \$426,000 to each State, and it

⁴ Quoted from U.S. Department of Justice. Bureau of Justice Statistics. *Violence against Women: Estimates from the Redesigned Survey*. Washington, August 1995. p. 1.

⁵ U.S. Department of Justice. Federal Bureau of Investigation. *Uniform Crime Reports, 1993*. Washington, U.S. Govt. Print. Off., 1994. p. 58.

⁶ *Ibid.*, pp. 16, 20.

⁷ See: U.S. Library of Congress. Congressional Research Service. *Crime Control: Summary of the Violent Crime Control and Law Enforcement Act of 1994*. Report No. 94-910. Coordinated by Charles Doyle. Washington 1994. pp. 32-48.

⁸ *Ibid.*, pp. 32-38.

⁹ Justice Information Electronic Newsletter, Vol. 1. April 1, 1995. Program guidelines and application kits may be obtained from the Department of Justice Response Center, 1-800-421-6770.

will distribute funding upon receipt of the various States' implementation plans. Funds are to be allocated as follows: 25 percent to law enforcement, 25 percent to prosecution, and 25 percent to nonprofit victim services. The rest is to be allocated at the State's discretion but within the parameters of the Act.

States must (1) certify that all out-of-pocket costs for forensic medical examinations of victims of sexual assaults are paid by the State, local government, or other government entity; (2) certify that victims of domestic violence are exempt from paying costs associated with filing criminal charges or issuing or serving a warrant, protection order, or witness subpoena for a domestic violence offence; and (3) assure that it will be in compliance with the above requirements by September 13, 1996 or at the end of the next legislative session, whichever is later.¹⁰

Recent Developments Within the 104th Congress

Within the FY1996 appropriations process, the House and the Senate have approved funding for several programs under the Violence Against Women Act.

**TABLE 1. Violence Against Women Program Funding, FY1995 and FY1996
(in millions)**

Program	Admin. Agency	FY1995 Funding	FY1996 Request	House Passed	Senate Passed or Reported¹
Law Enforcement and Prosecution Grants (Sec. 40121)	OJP	26.00	130.00	82.75	130.00
Grants to Encourage Arrest Policies (Sec. 40231)	OJP	0	28.00	28.00	28.00
Rural Domestic Violence and Child Abuse Enforcement (Sec. 40295)	OJP	0	7.00	7.00	7.00
Court Appointed Special Advocates for Victims of Child Abuse (Sec. 40156a)	OJP	0	6.00	6.00	6.00
Training for Judicial Personnel and Practitioners for Victims of Child Abuse (Sec. 40156b)	OJP	0	0.75	0.75	0.75
Grants for Televised Testimony by Victims of Child Abuse (Sec. 40156c)	OJP	0	0.25	0	0.05
National Stalker and Domestic Violence Reduction Grants (Sec. 40601-03)	OJP	0	1.50	0	1.50
Training Programs for Probation and Parole Officers Who Work With Released Sex Offenders (Sec. 40152)	OJP	0	1.00	0	1.00
National Study on Campus Sexual Assault (Sec. 40506)	OJP	0	0.20	0	0
State Databases Studies (Sec. 40292)	OJP	0	0.20	0	0.20
Federal Victim Counselors (Sec. 40114)	USA	0	0.50	0	0.50
<i>Subtotal: Department of Justice</i>		26.00	175.00	124.50	175.00

¹⁰ Ibid.

CRS-5

Program	Admin. Agency	FY1995 Funding	FY1996 Request	House Passed	Senate Passed or Reported ¹
Training Judges/Court Personnel (Sec. 40421-22)		0	0.70	N/A	N/A
<i>Subtotal: The Judiciary²</i>		0	0.70	N/A	N/A
Equal Justice for Women in Courts/Training Grants (Sec. 40411-14)		0	0.60	N/A	N/A
<i>Subtotal: State Justice Institute³</i>		0	0.60	N/A	N/A
National Domestic Violence Hotline (Sec. 40211)	ACF	1.00	0.40	0.40	0.40
Grants to Reduce Sexual Abuse of Runaway, Homeless, and Street Youth (Sec. 40155)	ACF	0	7.00	0	7.00
Grants for Battered Women Shelters (Sec. 40241)	ACF	0	15.00	0	18.10
Youth Education and Domestic Violence (Sec. 40251)	ACF	0	0.40	0.40	0.40
National Number and Cost of Injuries Study (Sec. 40293)	CDC	0	0.10	0.10	0.10
Rape Prevention and Education Grants (Sec. 40151)	CDC	0	35.00	35.00	35.00
Community Programs on Domestic Violence (Sec. 40261)	CDC	0	4.00	4.00	4.00
<i>Subtotal: Department of Health and Human Services¹</i>		1.00	61.90	39.90	65.00
Safety for Women: Capital Improvements to Prevent Crime in National Parks (Sec. 40132)		0	5.00	0	0
Safety for Women: Capital Improvements to Prevent Crime in Public Parks (Sec. 40133)		0	7.50	0	0
<i>Subtotal: Department of the Interior</i>		0	12.50	0	0
Safety for Women: Capital Improvements to Prevent Crime in Public Transportation (Sec. 40131)		0	5.00	0	0
<i>Subtotal: Department of Transportation</i>		0	5.00	0	0

¹ The Senate has passed all appropriations bills for FY1996, except that for Labor, HHS, and Education. Therefore, totals provided for the Department of Health and Human Services are based upon those reported by the Senate Appropriations Committee (S.Rept. 104-145).

² Although the Administration requested a total of \$30.7 million, as authorized for FY1996 in the 1994 Crime Act: \$30 million for the Federal Judiciary (Sec. 190001a) and \$700,000 for training judges and court personnel under the Violence Against Women Act (Sec. 40421-22), it is unclear if reported totals of \$41.5 million for the House (H.Rept. 104-196, p. 82) and \$30 million for the Senate (S.Rept. 104-139, p. 83) for

the Commerce, State, and Justice Appropriations Bill, H.R. 2076, contain funding for the VAWA training program in the Federal Judiciary.

- ³ Funding for the State Justice Institute's "Equal Justice for Women in Courts" training grants appears unlikely since the House provided no funding for SJI in FY1996 and the Senate provided \$5 million, more than \$8.5 million below the funding level for FY1995 (S.Rept. 104-139, p. 128).

Source:

For the Department of Justice, the Judiciary and the State Justice Institute, see the Commerce, State, and Justice Appropriations Bill, H.R. 2076. Referred to House Appropriations Committee Feb. 6, 1995. Reported to House (H.Rept. 104-196) July 19. Passed House, amended, July 26. Reported from Senate Committee on Appropriations (S.Rept. 104-139), Sept. 12. Passed Senate, amended, Sept. 29, 1995.

For the Department of Health and Human Services, see the Labor, HHS, and Education Appropriations Bill, H.R. 2127. Referred to House Appropriations Committee Feb. 6, 1995. Reported to House (H.Rept. 104-209) July 27. Passed House, amended, Aug. 4. Reported from Senate Committee on Appropriations (S.Rept. 104-145), Sept. 15.

For the Department of the Interior, see H.R. 1977. Referred to House Appropriations Committee Feb. 6, 1995. Reported to House (H.Rept. 104-173) June 30. Passed House, amended, July 18. Reported from Senate Committee on Appropriations (S.Rept. 104-125), July 28. Passed Senate, amended, Aug. 9. Conference report filed (H.Rept. 104-259) on Sept. 21, but House passes motion to recommit with instructions to conference committee, Sept. 29, 1995.

For the Department of Transportation, see H.R. 2002. Referred to House Appropriations Committee Feb. 6, 1995. Reported to House (H.Rept. 104-177) July 11. Passed House, amended, July 25. Reported from Senate Committee on Appropriations (S.Rept. 104-126), Aug. 4. Passed Senate, amended, Aug. 10, 1995.

Abbreviations to TABLE 1.

ACF Administration for Children and Families
 CDC Centers for Disease Control
 OJP Office of Justice Programs
 USA United States Attorneys

NOTE: This table originally appeared in the following CRS Report. U.S. Library of Congress. Congressional Research Service. *Domestic Violence: Data, Federal Programs, and Selected Issues. Report 95-865, by Dale Robinson. Washington, August 3, 1995.*