

**VIOLENCE AGAINST WOMEN ACT OF 1999,
STALKING PREVENTION AND VICTIM PROTECTION
ACT OF 1999**

HEARING
BEFORE THE
SUBCOMMITTEE ON CRIME
OF THE
COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTH CONGRESS

FIRST SESSION

ON

H.R. 1248 and H.R. 1869

SEPTEMBER 29, 1999

Serial No. 56



Printed for the use of the Committee on the Judiciary

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 2000

63-861

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402

ISBN 0-16-060800-7

H521-77

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VIOLENCE AGAINST WOMEN ACT OF 1999, STALKING PREVENTION AND VICTIM PRO- TECTION ACT OF 1999

WEDNESDAY, SEPTEMBER 29, 1999

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CRIME,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met, pursuant to call, at 9:35 a.m., in Room 2226, Rayburn House Office Building, Hon. Bill McCollum [chairman of the subcommittee] Presiding.

Present: Representatives Bill McCollum, Steve Chabot, Asa Hutchinson, Robert C. Scott, Martin T. Meehan, Steven R. Rothman and Sheila Jackson Lee.

Also present: Representatives Constance A. Morella and Sue W. Kelly.

Staff present: Rick Filkins, Counsel; Dan Bryant, Chief Counsel; Veronica Eligan, Staff Assistant; and Bobby Vassar, Minority Counsel.

OPENING STATEMENT OF CHAIRMAN McCOLLUM

Mr. McCOLLUM. This hearing of the Subcommittee on Crime will come to order. Good morning, everyone, and welcome to this morning's hearing on legislation addressing violence against women and stalking. Today we will be receiving testimony regarding two bills, H.R. 1248, the Violence Against Women Act of 1999, and H.R. 1869, the Stalking Prevention and Victim Protection Act of 1999.

[The bills, H.R. 1248 and H.R. 1869, follow:]

106TH CONGRESS
1ST SESSION

H. R. 1248

To prevent violence against women.

IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1999

Mrs. MORELLA (for herself, Mrs. JOHNSON of Connecticut, Mrs. KELLY, Mrs. MALONEY of New York, Ms. CARSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SHOWS, Mrs. MYRICK, Mr. SHAYS, Mrs. WILSON, Ms. MCKINNEY, Mr. MATSUI, Mr. McNULTY, Mr. ETHERIDGE, Ms. BERKLEY, Ms. LOFGREN, Mrs. JONES of Ohio, Mr. BOUCHER, Mrs. BIGGERT, Ms. DEGETTE, Mr. INSLEE, Ms. DANNER, Mr. LEACH, Mr. RANGEL, Mrs. CUBIN, Mrs. FOWLER, Mr. GILMAN, Ms. NORTON, Mr. LANTOS, Mr. WAXMAN, and Ms. GRANGER) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Education

and the Workforce, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prevent violence against women.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Violence Against Women Act of 1999”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

TITLE I—CONTINUING THE COMMITMENT OF THE VIOLENCE AGAINST WOMEN ACT

Subtitle A—Law Enforcement and Prosecution Grants To Combat Violence Against Women

- Sec. 101. Reauthorization.
- Sec. 102. Technical amendments.
- Sec. 103. State coalition grants.

Subtitle B—National Domestic Violence Hotline

- Sec. 111. Reauthorization.
- Sec. 112. Technical amendments.

Subtitle C—Battered Women’s Shelters and Services

- Sec. 121. Short title.
- Sec. 122. Authorization of appropriations for family violence prevention and services.
- Sec. 123. FVPSA improvements.

Subtitle D—Community Initiatives

- Sec. 131. Grants for community initiatives.

Subtitle E—Education and Training for Judges and Court Personnel

- Sec. 141. Reauthorization.

Subtitle F—Grants To Encourage Arrest Policies

- Sec. 151. Definitions.
- Sec. 152. Reauthorization.
- Sec. 153. Technical amendment.

Subtitle G—Rural Domestic Violence and Child Abuse Enforcement

- Sec. 161. Reauthorization.
- Sec. 162. Technical amendments.

Subtitle H—National Stalker and Domestic Violence Reduction

- Sec. 171. Technical amendments.
- Sec. 172. Reauthorization.

Subtitle I—Federal Victims’ Counselors

- Sec. 181. Reauthorization.

Subtitle J—Education and Prevention Grants To Reduce Sexual Abuse of Runaway, Homeless, and Street Youth

- Sec. 191. Reauthorization.
Sec. 192. Dissemination of information.

Subtitle K—Victims of Child Abuse Programs

- Sec. 193. Reauthorization of court-appointed special advocate program.
Sec. 194. Reauthorization of child abuse training programs for judicial personnel and practitioners.
Sec. 195. Reauthorization of grants for televised testimony.
Sec. 196. Dissemination of information.

TITLE II—SEXUAL ASSAULT PREVENTION

- Sec. 201. Transfer of rape prevention and education program.
Sec. 202. Rape prevention education.

SEC. 2. DEFINITIONS.

(a) **IN GENERAL.**—For purposes of this Act—

(1) **DOMESTIC VIOLENCE.**—The term “domestic violence” includes acts or threats of violence, not including acts of self-defense, committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim, by a person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against a victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

(2) **INDIAN COUNTRY.**—The term “Indian country” has the same meaning as is given such term by section 1151 of title 18, United States Code.

(3) **SEXUAL ASSAULT.**—The term “sexual assault” means any conduct prohibited by chapter 109A of title 18, United States Code, whether or not the conduct occurs in the special maritime and territorial jurisdiction of the United States or in a Federal prison and includes both assaults committed by offenders who are strangers to the victim and assaults committed by offenders who are known to the victim or related by blood or marriage to the victim.

(4) **STALKING.**—The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear death, sexual assault, or bodily injury to such person or a member of such person’s immediate family, when the person engaging in such conduct has knowledge or should have knowledge that the specific person will be placed in reasonable fear of death, sexual assault, or bodily injury to such person or a member of such person’s immediate family and when the conduct induces fear in the specific person of death, sexual assault, or bodily injury to such person or a member of such person’s immediate family.

(b) **UNDERSERVED POPULATIONS.**—Section 2003(7) of the Omnibus Crime Control and Law Enforcement Act of 1968 (42 U.S.C. 3796gg-2(7)) is amended to read as follows:

“(7) the term ‘underserved populations’ includes populations underserved because of race, ethnicity, age, disability, sexual orientation, religion, alienage status, geographic location (including rural isolation), language barriers, and any other populations determined to be underserved by the State planning process; and”.

TITLE I—CONTINUING THE COMMITMENT OF THE VIOLENCE AGAINST WOMEN ACT

Subtitle A—Law Enforcement and Prosecution Grants To Combat Violence Against Women

SEC. 101. REAUTHORIZATION.

Section 1001(a)(18) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)) is amended—

- (1) by striking “and” at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting “; and”, and

(3) by inserting after subparagraph (F) the following:

“(G) \$185,000,000 for fiscal year 2001;

“(H) \$185,000,000 for fiscal year 2002;

“(I) \$185,000,000 for fiscal year 2003; and

“(J) \$195,000,000 for fiscal year 2004.”.

SEC. 102. TECHNICAL AMENDMENTS.

(a) Section 2002(c)(3) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-1(c)(3)) is amended to read as follows:

“(3) up to 20 percent to be allocated to law enforcement, up to 20 percent to prosecution grants, at least 35 percent to victims’ services, and at least 10 percent to State court systems; and”.

(b) Section 2002(e) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-1(e)) is amended by adding at the end the following new paragraph:

“(3) REALLOTMENT OF FUNDS.—

“(A) If, at the end of the 9th month of any fiscal year for which funds are appropriated under section 1001(a)(18), the amounts made available are unspent or unobligated, such unspent or unobligated funds shall be reallocated to the current fiscal year recipients in the victim services area pursuant to section 2002(c)(3) proportionate to their original allotment for the current fiscal year.

“(B) For the first 2 fiscal years following the date of the enactment of the Violence Against Women Act of 1999, the Attorney General may waive the qualification requirements of section 2002(c), at the request of the State and with the support of law enforcement, prosecution, and victims’ services grantees currently funded under this section, if the reallocation of funds among law enforcement, prosecution, victims’ services and State court systems mandated by this Act adversely impacts victims of sexual assault, domestic violence, and stalking, due to the reduction of funds to programs and services funded under this section in the prior fiscal year.”.

(c) Section 2001(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(b)) is amended—

(1) by striking “and” at the end of paragraph (6); and

(2) by redesignating paragraph (7) as paragraph (10) and by inserting after paragraph (6) the following new paragraphs:

“(7) developing, enlarging, or strengthening State court programs, including training for State, local, and tribal judges and court personnel, addressing violent crimes against women, including sexual assault, domestic violence, and stalking;

“(8) training of sexual assault forensic nurse examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault; and

“(9) supporting the development of sexual assault response teams to strengthen the investigation of sexual assaults and coordinate services for victims of sexual assault.”.

(d) Section 2002 of Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-1) is amended by redesignating subsections (e), (f), (g), and (h) as subsections (f), (g), (h), and (i), respectively, and by inserting after subsection (d) the following:

“(e) MONITORING AND COMPLIANCE.—The Attorney General shall deny applications—

“(1) that do not meet the requirements set forth in subsections (c) and (d); and

“(2) for failure to provide documentation, including memoranda of understanding, contract, or other document of any collaborative efforts with other agencies or organizations.”.

(e) Section 2003(8) of Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-2(8)) is amended by striking “assisting domestic violence or sexual assault victims through the legal process” and inserting “providing advocacy and assistance for victims seeking legal, social, and health care services”, and inserting before the period the following: “, except that such term shall not include programs or activities that are targeted primarily for offenders”.

(f) Section 2002(b)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-1(b)(1)) is amended by striking “4 percent” and inserting “5 percent”.

(g) Section 2005(b)(3) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-4(b)(3)) is amended—

- (1) by striking “and” at the end of subparagraph (C);
- (2) by striking the period at the end of subparagraph (D) and inserting “; and”; and
- (3) by inserting after subparagraph (D) the following:

“(E) the reimbursement is not contingent upon the victim’s report of the sexual assault to law enforcement or upon the victim’s cooperation in the prosecution of the sexual assault.”.

(h) Section 2006(a)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-5(a)(1)) is amended by inserting “civil or criminal” before “protection order”.

SEC. 103. STATE COALITION GRANTS.

Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by inserting after subsection (b) the following new subsection:

“(c)(1) PURPOSE.—The Attorney General shall make grants to each of the State domestic violence and sexual assault coalitions in the State for the purposes of coordinating State victim services activities, and collaborating and coordinating with Federal, State, and local entities engaged in violence against women activities. In no case will such awards preclude the State domestic violence and sexual assault coalitions from receiving grants under this part T to fulfill the purposes described in subsections (a) and (b).

“(2) GRANTS TO COALITIONS.—Five percent of the funds appropriated for a fiscal year under section 1001(a)(18) shall be made available for grants to domestic violence and sexual assault coalitions for the purposes described in paragraph (1).

“(3) GEOGRAPHICAL ALLOTMENT.—

“(A) AMOUNT.—The domestic violence and sexual assault coalition in each State, the District of Columbia, the Commonwealth of Puerto Rico, and the combined United States Territories shall each receive an amount equal to $\frac{1}{54}$ of the amount made available under paragraph (2). The combined United States Territories shall not receive less than 1.5 percent of the funds made available under paragraph (2) for each fiscal year and the tribal domestic violence and sexual assault coalitions shall not receive less than 1.5 percent of the funds made available under paragraph (2) for each fiscal year.

“(B) DEFINITION.—For the purposes of this section, the term ‘combined United States Territories’ means Guam, American Samoa, the United States Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

“(C) INDIANS.— $\frac{1}{54}$ of the amount appropriated shall be made available for development and operation of nonprofit nongovernmental tribal domestic violence and sexual assault coalitions in Indian country. The term “Indian country” has the same meaning as is given such term by section 1151 of title 18, United States Code.

“(4) DISBURSEMENT OF GEOGRAPHICAL ALLOTMENTS.—Fifty percent of the $\frac{1}{54}$ allotted to each State, the District of Columbia, Commonwealth of Puerto Rico, the combined United States Territories, and Indian country under paragraph (3) shall be made available to the domestic violence coalition as defined in the Family Violence Prevention and Services Act (42 U.S.C. 10410 et seq.) and fifty percent shall be made available to the sexual assault coalition as defined under the Public Health Service Act; and

“(5) COMPONENT ELIGIBILITY.—In the case of combined domestic violence and sexual assault coalitions, each component shall be deemed eligible for the awards for sexual assault and domestic violence activities, respectively.”.

Subtitle B—National Domestic Violence Hotline

SEC. 111. REAUTHORIZATION.

Section 316(f)(1) of the Family Violence Prevention and Services Act (42 U.S.C. 10416(f)(1)) is amended to read as follows:

“(1) IN GENERAL.—There are authorized to be appropriated to carry out the purposes of this section—

- “(A) \$1,600,000 for fiscal year 2000;
- “(B) \$1,800,000 for fiscal year 2001;
- “(C) \$2,000,000 for fiscal year 2002;
- “(D) \$2,000,000 for fiscal year 2003; and

“(E) \$2,000,000 for fiscal year 2004.”.

SEC. 112. TECHNICAL AMENDMENTS.

Section 316 of the Family Violence Prevention and Services Act (42 U.S.C. 10416) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following:

“(f) Within 90 days after the date of the enactment of the Violence Against Women Act of 1999, all entities receiving funds pursuant to activities under subsection (a) shall prepare and submit a report to the Secretary that evaluates the effectiveness of the use of amounts received under such grants by such grantee and containing such other information as the Secretary may prescribe. The Secretary shall publish any such reports and provide at least 90 days for notice and opportunity for public comment prior to awarding or renewing any such grants.”.

Subtitle C—Battered Women’s Shelters and Services

SEC. 121. SHORT TITLE.

This subtitle may be cited as the “Battered Women’s Shelters and Services Act”.

SEC. 122. AUTHORIZATION OF APPROPRIATIONS FOR FAMILY VIOLENCE PREVENTION AND SERVICES.

Section 310(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10409(a)) is amended to read as follows:

“(a) **IN GENERAL.**—There are authorized to be appropriated to carry out this title—

- “(1) \$120,000,000 for fiscal year 2000;
- “(2) \$160,000,000 for fiscal year 2001;
- “(3) \$200,000,000 for fiscal year 2002;
- “(4) \$260,000,000 for fiscal year 2003; and
- “(5) \$260,000,000 for fiscal year 2004.”.

SEC. 123. FVPSA IMPROVEMENTS.

(a) Section 304(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10403(a)) is amended—

- (1) by inserting after “grant authorized under section 303(a)” the following: “\$500,000, with the remaining funds to be allotted to each State in”;
- (2) by striking paragraph (1), by striking the dash preceding paragraph (1), by striking “(2)”, and by running in the text of paragraph (2) after “except that”;
- (3) by striking the last sentence.

(b) Section 304(d) of the Family Violence Prevention and Services Act (42 U.S.C. 10403(d)) is amended—

- (1) by inserting after “to such State in grants under section 303(a)” the following: “or Indian tribe or tribal organization under section 303(b)”;
- (2) by inserting after “failure of such State” the following: “or Indian tribe or tribal organization, or other entity”;
- (3) by inserting after “such amount to States” the following: “and Indian tribes and tribal organizations”;
- (4) by inserting after “which meet such requirements” the following: “proportionate to the original allocation made under subsection (a) or (b) of section 303, respectively”; and
- (5) by redesignating paragraph (2) as paragraph (3) and adding after paragraph (1) the following:

“(2) If, at the end of the sixth month of any fiscal year for which sums are appropriated under section 310, the amount allotted to an entity has not been made available to such entity in grants under sections 308 and 311 because of the failure of such entity to meet the requirements for a grant or because the limitation on expenditure has been reached, then the Secretary shall reallocate such amount to States and Indian tribes and tribal organizations that meet such requirements proportionate to the original allocation under subsection (a) or (b) of section 303, respectively.”

(c) Section 308(a)(2) of the Family Violence Prevention and Services Act (42 U.S.C. 10407(a)(2)) is amended by adding “on providing training and technical assistance” after “focusing”, and by adding at the end the following: “The Secretary may award grants to nonprofit, nongovernmental organizations for technical assistance and training initiatives on the subjects identified in subsection (c) if such ini-

tiatives do not duplicate the work of the entities funded under subsection (c) and the total amounts awarded for such initiatives do not exceed \$500,000.”

(d) Section 308(c) of the Family Violence Prevention and Services Act (42 U.S.C. 10407(c)) is amended by adding “on emerging issues in domestic violence service, prevention, or law and” after “service providers, and”, by striking “domestic violence service, prevention, or law” after “following areas”, and by adding after paragraph (7) the following:

“(8) Providing technical assistance and training to local domestic violence programs that provide shelter or related assistance.

“(9) Improving access to services, information, and training within Indian tribes and tribal organizations.

“(10) Responding to emerging issues in the field of domestic violence that the Secretary may identify in consultation with advocates representing local programs providing shelter or related assistance, State domestic violence coalitions, and national domestic violence organizations.

“(11) Nothing in this section shall prohibit the Secretary from making multiple grants to any nonprofit, nongovernmental entity to fulfill the purposes of this section.”.

(e) Section 309(1)(B) of the Family Violence Prevention and Services Act (42 U.S.C. 10408(1)(B)) is amended by inserting “, with whom such person is or has been in a continuing social relationship of a romantic or intimate nature,” before “or with whom”.

(f) Section 309 of such Act (42 U.S.C. 10408) is amended by adding at the end the following:

“(7) The term ‘Indian country’ has the same meaning as is given such term by section 1151 of title 18, United States Code.”.

(g) Section 310(c) of the Family Violence Prevention and Services Act (42 U.S.C. 10409(c)) is amended by adding after “for each fiscal year,” the following: “the lesser of \$7,500,000 or”.

(h) Section 310(d) of the Family Violence Prevention and Services Act (42 U.S.C. 10409(d)) is amended by striking “not less than” and inserting “the lesser of \$22,000,000 or” and by adding at the end the following: “At such time as the appropriation under this subsection exceeds \$11,000,000, the Secretary shall designate that of the amounts appropriated under this subsection up to 20 percent of such funds shall be made available in the amounts necessary to State domestic violence coalitions for the specific purpose of providing technical assistance and training and direct assistance in the following areas or other priorities that may be determined by the Secretary in consultation with State domestic violence coalitions and programs that provide shelter or related assistance:

“(1) MODEL LEADERSHIP GRANTS FOR DOMESTIC VIOLENCE INTERVENTION IN UNDERSERVED COMMUNITIES.—The Secretary shall award grants of up to 3 years to not more than 10 State and tribal domestic violence coalitions and not more than 10 local domestic violence programs providing shelter or related assistance to develop model strategies to address domestic violence in underserved populations as defined in section 2003(7) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-2(7)). Such grants shall be made to assess the needs of underserved populations in the State or Indian country; build collaborative relationships with community-based organizations serving underserved populations; and develop and implement model community intervention strategies to decrease the incidence of domestic violence in underserved populations.

“(A) ELIGIBILITY.—To be eligible for a 1-year model leadership grant under this paragraph, an applicant shall demonstrate—

“(i) a plan for assessing the needs of underserved populations and identifying a specific population for development of an intervention strategy in the year of the grant; and

“(ii) inclusion of representatives from community-based organizations in underserved communities in planning, designing, and disseminating the needs assessment instruments.

“(B) ELIGIBILITY FOR CONTINUED FUNDING.—To be eligible for continued funding of up to 2 additional years, an applicant shall provide—

“(i) a plan for implementing the model strategies which includes collaborative partnerships with community-based organizations within the underserved populations identified; and

“(ii) a plan for disseminating the model strategy throughout the State or Indian country, or to other States during year 3 of the grant.

“(C) PRIORITY FOR COLLABORATIVE FUNDING.—In awarding grants under this section, the Secretary shall give preference to State and tribal domestic

violence coalitions and local domestic violence shelters and programs that submit applications in collaboration with community-based organizations serving underserved populations. A grant may not be made under this subsection in an amount less than \$100,000 for each fiscal year.

“(2) DIRECT EMERGENCY ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE.—

“(A) IN GENERAL.—The Secretary shall award grants to each State and tribal domestic violence coalition for the purpose of administering an emergency assistance fund for victims of domestic violence. Funds received under this paragraph may be used only to provide emergency assistance directly to victims of domestic violence who are in the process of fleeing an abusive situation. Emergency assistance shall include transportation, housing, and other expenses associated with relocation. Funds shall be requested by domestic violence shelters and programs on behalf of victims.

“(B) APPLICATION.—Prior to receipt of emergency assistance funds under this paragraph, the State or tribal domestic violence coalition shall provide to the Secretary—

“(i) a detailed description of the process for receiving and reviewing applications for emergency assistance;

“(ii) a detailed description of the process for notifying domestic violence shelters and programs about the availability of emergency assistance funds;

“(iii) an application form that includes the type of assistance requested, a statement of need for the funds, a statement about the impact of the funds on the victim’s ability to escape domestic violence, and other such information that would be helpful in disbursing emergency assistance funds;

“(iv) the process used to make payments to recipients; and

“(v) a statement of procedures used to protect the confidentiality of recipients.

“(C) REPORTING.—The State or tribal domestic violence coalition shall file an annual report to the Secretary describing the distribution of funds to victims of domestic violence by type and amount of assistance provided. For reasons of safety and confidentiality, such report shall not contain individually identifying information.

“(3) TECHNICAL ASSISTANCE AND TRAINING FOR STATE, LOCAL, AND TRIBAL DOMESTIC VIOLENCE PROGRAMS.—

“(A) IN GENERAL.—The Secretary shall award grants to a State or tribal domestic violence coalition or coalitions for the purpose of providing training and technical assistance for State and tribal domestic violence coalitions and other nonprofit, nongovernmental State, local, and tribal domestic violence programs. Funds received under this section shall be used to conduct regional training and technical assistance initiatives to be developed and implemented by a nonprofit, nongovernmental State or tribal domestic violence coalition or coalitions within each of the regions administered by the Department of Health and Human Services. Funds shall be used to prioritize, plan, and implement solutions to regional problems experienced by domestic violence coalitions and programs providing shelter or related assistance within the region.

“(B) ELIGIBILITY.—To be eligible for funding under this paragraph the grantee shall have the support of the majority of State and tribal domestic violence coalitions within the region and shall have its principal place of operation within the region. Nothing in this section shall prohibit domestic violence programs within Indian tribes from receiving technical assistance and training under this grant program. Grantees shall be encouraged to work in collaboration with domestic violence advocates and organizations outside of the region and with the national resource center and special issue resource centers established in this Act to provide expertise in delivering training and technical assistance within the region.

“(C) REPORTING.—The grantee State or tribal domestic violence coalition or coalitions shall file an annual report to the Secretary describing the recipients and the type of technical assistance and training received.”

(i) Section 308(e) of the Family Violence Prevention and Services Act (42 U.S.C. 10407(e)) is amended by adding at the end the following: “Within 90 days after the date of the enactment of the Violence Against Women Act of 1999, all entities receiving funds pursuant to activities under this section shall prepare and submit a report to the Secretary that evaluates the effectiveness of the use of amounts received under such grants by such grantee and containing such other information as the Secretary may prescribe. The Secretary shall publish any such reports and pro-

vide at least 90 days for notice and opportunity for public comment prior to awarding or renewing any such grants.”

(j) Section 307(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(a)) is amended by adding at the end the following:

“(3) The Secretary shall deny any application that fails to provide documentation, including memoranda of understanding, of the specific involvement of the State or tribal domestic violence coalition and other knowledgeable individuals and interested organizations, in the development of the State or tribe’s application.”

(k) Section 303(b) of the Family Violence Prevention Services Act (42 U.S.C. 10402(b)) is amended by adding at the end the following:

“(4) From the amounts made available under paragraph (1), there shall be awarded by the Secretary not less than 5 percent of such amounts for the funding of tribal domestic violence coalitions. To be eligible for a grant under this paragraph, an entity shall be a private nonprofit coalition whose membership includes representatives from a majority of the programs for victims of domestic violence operating within the boundaries of an Indian reservation and programs whose primary purpose is serving the populations of such Indian country and whose board membership is representative of such programs. Such coalitions shall further the purposes of domestic violence intervention and prevention through activities including—

“(A) training and technical assistance for local Indian domestic violence programs and providers of direct services to encourage appropriate responses to domestic violence in Indian country;

“(B) planning and conducting needs assessments and planning for comprehensive services in Indian country;

“(C) serving as an information clearinghouse and resource center for the Indian reservation represented by the coalition receiving these funds;

“(D) collaborating with Indian, State, and Federal governmental systems which affect battered women in Indian country, including judicial and law enforcement and child protective services agencies, to encourage appropriate responses to domestic violence cases;

“(E) conducting public education and outreach activities addressing domestic violence in Indian country;

“(F) collaborating with State domestic violence coalitions in the areas described above; and

“(G) participating in planning and monitoring of the distribution of grants and grant funds to the Indian reservation and tribal organizations under paragraph (1).”

Subtitle D—Community Initiatives

SEC. 131. GRANTS FOR COMMUNITY INITIATIVES.

(a) Section 318(h) of the Family Violence Prevention and Services Act (42 U.S.C. 10418(h)) is amended to read as follows:

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$8,000,000 for fiscal year 2000;

“(2) \$9,000,000 for fiscal year 2001;

“(3) \$10,000,000 for fiscal year 2002;

“(4) \$11,000,000 for fiscal year 2003; and

“(5) \$12,000,000 for fiscal year 2004.”

(b) Subsection (i) of section 318 of the Family Violence Prevention and Services Act (42 U.S.C. 10418) is amended by inserting the text of the subsection as a cut-in paragraph (1) with the heading “IN GENERAL.—” and by adding at the end the following:

“(2) INFORMATION.—The Secretary shall annually compile and broadly disseminate (including through electronic publication) information about the use of funds and about the projects funded under this section, including any evaluations of the projects and information to enable replication and adoption of the strategies identified in the projects. Such dissemination shall target other community-based programs, including domestic violence and sexual assault programs.”

Subtitle E—Education and Training for Judges and Court Personnel

SEC. 141. REAUTHORIZATION.

(a) GRANTS FOR EDUCATION AND TRAINING FOR JUDGES AND COURT PERSONNEL IN STATE COURTS.—(1) Section 40412 of the Equal Justice for Women in the Courts Act of 1994 (42 U.S.C. 13992) is amended—

(A) by striking “and” at the end of paragraph (18);

(B) by striking the period at the end of paragraph (19); and

(C) by inserting after paragraph (19) the following:

“(20) the issues raised by domestic violence in determining custody and visitation, including how to protect the safety of the child and of a parent who is not a predominant aggressor of domestic violence, the legitimate reasons parents may report domestic violence, the ways domestic violence may relate to an abuser’s desire to seek custody, and evaluating expert testimony in custody and visitation determinations involving domestic violence;

“(21) the issues raised by child sexual assault in determining custody and visitation, including how to protect the safety of the child, the legitimate reasons parents may report child sexual assault, and evaluating expert testimony in custody and visitation determinations involving child sexual assault, including the current scientifically-accepted and empirically valid research on child sexual assault; and

“(22) the extent to which addressing domestic violence and victim safety contributes to the efficient administration of justice.”.

(2) Section 40414(a) of the Equal Justice for Women in the Courts Act of 1994 (42 U.S.C. 13994(a)) is amended by inserting “and \$1,500,000 for each of the fiscal years 2000 through 2004” after “1996”.

(b) GRANTS FOR EDUCATION AND TRAINING FOR JUDGES AND COURT PERSONNEL IN FEDERAL COURTS.—(1) Section 40421(d) of the Equal Justice for Women in the Courts Act of 1994 (42 U.S.C. 14001(d)) is amended to read as follows:

“(d) MODEL PROGRAMS.—The Federal Judicial Center, in carrying out section 620(b)(3) of title 28, United States Code, shall include in the educational programs it prepares, including the training programs for newly appointed judges, information on the aspects of the topics listed in section 40412 that pertain to issues within the jurisdiction of the Federal courts, and shall prepare materials necessary to implement this subsection.”.

(2) Section 40422(2) of the Equal Justice for Women in the Courts Act of 1994 (42 U.S.C. 14002(2)) is amended by inserting “and \$500,000 for each of the fiscal years 2000 through 2004” after “1996”.

(c) TECHNICAL AMENDMENTS TO THE EQUAL JUSTICE FOR WOMEN IN THE COURTS ACT OF 1994.—

(1) ENSURING COLLABORATION WITH DOMESTIC VIOLENCE AND SEXUAL ASSAULT PROGRAMS.—Section 40413 of the Equal Justice for Women in the Courts Act (42 U.S.C. 13993) is amended by adding “including national, State, tribal, and local domestic violence and sexual assault programs and coalitions,” after “victim advocates”.

(2) PARTICIPATION OF TRIBAL COURTS IN STATE TRAINING AND EDUCATION PROGRAMS.—Section 40411 of the Equal Justice for Women in the Courts Act (42 U.S.C. 13991) is amended by adding at the end the following: “Nothing shall preclude the attendance of tribal judges and court personnel at programs funded under this section for States to train judges and court personnel on the laws of the States.”

(3) USE OF FUNDS FOR DISSEMINATION OF MODEL PROGRAMS.—Section 40414 of the Equal Justice for Women in the Courts Act (42 U.S.C. 13994) is amended by adding at the end the following:

“(c) The State Justice Institute may use up to 5 percent of the funds appropriated under this section for annually compiling and broadly disseminating (including through electronic publication) information about the use of funds and about the projects funded under this section, including any evaluations of the projects and information to enable the replication and adoption of the projects.”.

Subtitle F—Grants To Encourage Arrest Policies

SEC. 151. DEFINITIONS.

Section 2105(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh-4(1)) is amended to read as follows:

“(1) the term ‘domestic violence’ includes acts or threats of violence, not including acts of self-defense, committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim, by a person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against a victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”.

SEC. 152. REAUTHORIZATION.

Section 1001(a)(19) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

- (1) by striking “and” at the end of subparagraph (B);
- (2) by striking the period at the end of subparagraph (C) and inserting a semicolon; and
- (3) by inserting after subparagraph (C) the following:
 - “(D) \$63,000,000 for fiscal year 2000;
 - “(E) \$67,000,000 for fiscal year 2001;
 - “(F) \$70,000,000 for fiscal year 2002;
 - “(G) \$70,000,000 for fiscal year 2003; and
 - “(H) \$70,000,000 for fiscal year 2004.”.

SEC. 153. TECHNICAL AMENDMENT.

Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh) is amended by adding at the end the following:

“(d) DISBURSEMENT.—At least 5 percent of the funds appropriated under this section shall be used for grants to Indian tribal governments.”.

Subtitle G--Rural Domestic Violence and Child Abuse Enforcement

SEC. 161. REAUTHORIZATION.

Section 40295(c)(1) of the Safe Homes for Women Act of 1994 (42 U.S.C. 13971(c)(1)) is amended—

- (1) by striking “and” at the end of subparagraph (B);
- (2) by striking the period at the end of subparagraph (C) and inserting “; and”; and
- (3) by inserting after subparagraph (C) the following:
 - “(D) \$35,000,000 for each of the fiscal years 2000, 2001, 2002, 2003, and 2004.”.

SEC. 162. TECHNICAL AMENDMENTS.

Section 40295(c) of the Safe Homes for Women Act of 1994 (42 U.S.C. 13971(c)) is amended by adding at the end the following:

“(3) DISBURSEMENT.—At least 5 percent of the funds appropriated under paragraph (1) shall be used for grants to Indian tribal governments.”.

Subtitle H—National Stalker and Domestic Violence Reduction

SEC. 171. TECHNICAL AMENDMENTS.

Section 40602(a) of the Violence Against Women Act of 1994 (42 U.S.C. 14031(a)) is amended by inserting “and implement” after “improve”.

SEC. 172. REAUTHORIZATION.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended—

- (1) by striking “and” at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting “; and”; and

(3) by inserting after paragraph (3) the following:

“(4) \$3,000,000 for each of the fiscal years 2000, 2001, 2002, 2003, and 2004.”.

Subtitle I—Federal Victims’ Counselors

SEC. 181. REAUTHORIZATION.

The text of section 40114 of the Safe Streets for Women Act of 1994 is amended to read as follows: “There are authorized to be appropriated for the United States Attorneys for the purpose of appointing Victim/Witness Counselors for the prosecution of domestic violence and sexual assault crimes where applicable (such as the District of Columbia) \$1,000,000 for each of the fiscal years 2000, 2001, 2002, 2003, and 2004.”.

Subtitle J—Education and Prevention Grants To Reduce Sexual Abuse of Runaway, Homeless, and Street Youth

SEC. 191. REAUTHORIZATION.

Section 316(c) of the Runaway and Homeless Youth Act (42 U.S.C. 5712d(c)) is amended—

(1) by striking “and” at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting a semicolon; and

(3) by inserting after paragraph (3) the following:

“(4) \$22,000,000 for each of the fiscal years 2000, 2001, 2002, 2003, and 2004.”.

SEC. 192. DISSEMINATION OF INFORMATION.

Section 316 of part A of the Runaway and Homeless Youth Act (42 U.S.C. 5712d) is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following:

“(d) The Secretary shall annually compile and broadly disseminate (including through electronic publication) information about the use of funds and about the projects funded under this subtitle, including any evaluations of the projects and information to enable replication and adoption of the strategies identified in the projects. Such dissemination shall target community-based programs, including domestic violence and sexual assault programs.”.

Subtitle K—Victims of Child Abuse Programs

SEC. 193. REAUTHORIZATION OF COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Section 218(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13014(a)) is amended—

(1) by striking “and” at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting a semicolon; and

(3) by inserting after paragraph (5) the following:

“(6) \$12,000,000 for each of the fiscal years 2001, 2002, 2003, and 2004.”

SEC. 194. REAUTHORIZATION OF CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS.

Section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)) is amended—

(1) by striking “and” at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting a semicolon; and

(3) by inserting after paragraph (5) the following:

“(6) \$2,300,000 for each of the fiscal years 2001, 2002, 2003, and 2004.”.

SEC. 195. REAUTHORIZATION OF GRANTS FOR TELEVISED TESTIMONY.

Section 1001(a)(7) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(7)) is amended—

- (1) by striking “and” at the end of subparagraph (D);
- (2) by striking the period at the end of subparagraph (E) and inserting a semicolon; and
- (3) by inserting after subparagraph (E) the following:

“(F) \$1,000,000 for each of the fiscal years 2001, 2002, 2003, and 2004.”.

SEC. 196. DISSEMINATION OF INFORMATION.

Section 40156 of the Violence Against Women Act of 1994 is amended by inserting at the end the following:

“(d) The Attorney General shall annually compile and broadly disseminate (including through electronic publication) information about the use of funds and about the projects funded under this section, including any evaluations of the projects and information to enable replication and adoption of the strategies identified in the projects. Such dissemination shall target community-based programs, including domestic violence and sexual assault programs.”.

TITLE II—SEXUAL ASSAULT PREVENTION**SEC. 201. TRANSFER OF RAPE PREVENTION AND EDUCATION PROGRAM.**

Part J of title III of the Public Health Service Act is amended by inserting after section 393A the following new section:

“SEC. 393B. USE OF ALLOTMENTS FOR RAPE PREVENTION EDUCATION.

“(a) GRANTS.—

“(1) PERMITTED USE.—Notwithstanding section 1904(a)(1), amounts transferred by the State for use under this part shall be used for rape prevention and education programs conducted by rape crisis centers and private nonprofit nongovernmental State and tribal sexual assault coalitions for—

- “(A) educational seminars;
- “(B) the operation of hotlines;
- “(C) training programs for professionals;
- “(D) the preparation of informational material; and
- “(E) other efforts to increase awareness of the facts about, or to help prevent, sexual assault, including efforts to increase awareness in underserved communities (as defined in section 2003(7) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-2(7))).

“(2) TERMS.—

“(A) POPULATIONS.—The Secretary shall make grants under subsection (a) to each State on the basis of the population of the State.

“(B) RAPE PREVENTION AND EDUCATION PROGRAMS.—No State may use funds made available by reason of paragraph (1) in any fiscal year for administration of any prevention program other than the rape prevention and education program for which grants are made under paragraph (1).

“(C) AVAILABILITY.—Any amount paid to a State for a fiscal year and remaining unobligated at the end of such year shall remain available for the next fiscal year to such State for the purposes for which it was made.

“(D) ADMINISTRATIVE AND TECHNICAL ASSISTANCE.—The Secretary shall use not more than 5 percent of the funds available under paragraph (1) for the purposes of administrative and technical assistance.

“(E) TARGETING OF EDUCATION PROGRAMS.—States receiving grant moneys under paragraph (1) shall ensure that at least 25 percent of the moneys are devoted to educational programs targeted for middle school, junior high, and high school aged students. The programs targeted under this subsection shall be conducted by rape crisis centers and State and tribal sexual assault coalitions.

“(b) NATIONAL RESOURCE CENTER.—

“(1) ESTABLISHMENT.—At such time as appropriations under subsection (c) reach at least \$80,000,000, the Secretary of Health and Human Services shall, through the National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention, establish a National Resource Center on Sexual Assault to provide resource information, policy, training, and technical assistance to Federal, State, and Indian tribal agencies, as well as to State and tribal sexual assault coalitions and local sexual assault programs and to other professionals and interested parties on issues relating to sexual assault. The Re-

source Center shall maintain a central resource library in order to collect, prepare, analyze, and disseminate information and statistics and analyses thereof relating to the incidence and prevention of sexual assault.

“(2) ELIGIBLE ORGANIZATIONS.—The Secretary shall award a grant under paragraph (1) to a private nonprofit organization which can—

“(A) demonstrate that it has recognized expertise in the area of sexual assault, a record of high-quality services to victims of sexual assault, including a demonstration of support from advocacy groups, such as State and tribal sexual assault coalitions or recognized national sexual assault groups; and

“(B) demonstrate a commitment to diversity and to the provision of services to underserved populations as defined in section 2003(7) of the Omnibus Crime Control and Safe Street Act of 1968 (42 U.S.C. 3796gg-2(7)).

“(c) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

“(A) \$80,000,000 for fiscal year 2000;

“(B) \$105,000,000 for fiscal year 2001;

“(C) \$105,000,000 for fiscal year 2002;

“(D) \$155,000,000 for fiscal year 2003; and

“(E) \$155,000,000 for fiscal year 2004.

Funds authorized to be appropriated under this section are appropriated from the Violent Crime Reduction Fund pursuant to section 31001(c) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211(c)) and paragraph (16) under the definition of “prevention program” in section 31001(d) of such Act (42 U.S.C. 14214(d)).

“(2) SEXUAL ASSAULT COALITIONS.—At such time as appropriations under subsection (c) reach at least \$80,000,000, the Secretary shall designate 15 percent of the total amount appropriated to be used for making grants to nonprofit, nongovernmental State sexual assault coalitions to address public health issues associated with sexual assault through training, resource development, or similar research.

“(3) INDIAN COUNTRY.—At such time as the appropriations under subsection (c) reach at least \$80,000,000, there shall be awarded by the Secretary not less than 5 percent of such amounts for the funding of tribal sexual assault coalitions. To be eligible for a grant under this paragraph, an entity shall be a private nonprofit coalition whose membership includes representatives from a majority of the programs for adult and child victims of sexual assault operating within the boundaries of such Indian country and programs whose primary purpose is serving the population of an Indian reservation, and whose board membership is representative of such programs. Such coalitions shall further the purposes of sexual assault intervention and prevention through activities including—

“(A) training and technical assistance for local Indian sexual assault programs and providers of direct services to encourage appropriate responses to sexual assault in Indian country;

“(B) planning and conducting needs assessments and planning for comprehensive services in Indian country;

“(C) serving as an information clearinghouse and resource center for any Indian reservation represented by the coalition receiving these funds;

“(D) collaborating with Indian, State, and Federal systems which affect adult and child victims of sexual assault in Indian country, including judicial, law enforcement, and child protective services agencies, to encourage appropriate responses to sexual assault cases;

“(E) conducting public education and outreach activities addressing sexual assault in Indian country;

“(F) collaborating with sexual assault coalitions in the areas described above; and

“(G) participating in planning and monitoring of the distribution of grants and grant funds to Indian reservation and tribal organizations under this section.

“(4) SUBSECTION (b) ALLOTMENT.—Of the amount appropriated for any fiscal year under this section, at least \$1,000,000 shall be made available for grants under subsection (b), with yearly increases of at least 10 percent of the prior year’s allotment.

“(d) LIMITATIONS.—

“(1) A State may use funds under subsection (a) only so as to supplement and, to the extent practicable, increase the level of funds that would be avail-

able from non-Federal sources for the activities described in subsection (a), and in no case may such funds be used to supplant funds from other sources.

"(2) A State may not use more than 2 percent of the funds received in each fiscal year under this section for surveillance studies or prevalence studies and funds for such studies shall be available only at such time as appropriations under subsection (c) reach at least \$80,000,000.

"(3) A State may not use more than 5 percent of funds received in each fiscal year under subsection (a) for administrative expenses.

"(e) DEFINITIONS.—

"(1) RAPE PREVENTION AND EDUCATION.—For purposes of this section, the term 'rape prevention and education' includes education and prevention efforts directed at sexual offenses committed by offenders who are not known to the victim as well as offenders who are known to the victim.

"(2) SEXUAL ASSAULT.—The term 'sexual assault' means any conduct proscribed by chapter 109A of title 18, United States Code, whether or not the conduct occurs in the special maritime and territorial jurisdiction of the United States or in a Federal prison and includes both assaults committed by offenders who are strangers to the victim and assaults committed by offenders who are known to the victim or related by blood or marriage to the victim.

"(3) RAPE CRISIS CENTER.—The term 'rape crisis center' means a private, nonprofit, nongovernmental organization that is organized, or has as one of its primary purposes, to provide services for victims of sexual assault and has a record of commitment and demonstrated experience in providing services to victims of sexual assault.

"(4) SEXUAL ASSAULT PROGRAM.—The term 'sexual assault program' means a private, nonprofit, nongovernmental organization that is organized, or has as one of its primary purposes, to provide services for victims of sexual assault and has a record of commitment and demonstrated experience in providing services to victims of sexual assault.

"(5) STATE COALITION OF SEXUAL ASSAULT PROGRAMS.—The term 'State coalition of sexual assault programs' means a statewide nonprofit, nongovernmental membership organization of a majority of sexual assault programs within the State that, among other activities, provides training and technical assistance to sexual assault programs within the State, commonwealth, territory, or lands under military, Federal, or tribal authority."

SEC. 202. RAPE PREVENTION EDUCATION.

(a) REPEAL.—Section 1910A of the Public Health and Human Services Act (42 U.S.C. 300w-10) is repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) of this section shall take effect the day after the date of enactment of this Act.



106TH CONGRESS
1ST SESSION

H. R. 1869

To amend title 18, United States Code, to expand the prohibition on stalking, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 1999

Mrs. KELLY (for herself, Mr. ROYCE, Mrs. JOHNSON of Connecticut, Mr. FROST, Ms. GRANGER, Mr. HORN, Mr. GILMAN, Mr. ENGLISH, Mr. UNDERWOOD, Mr. GREEN of Wisconsin, Mr. MCKEON, Mrs. JONES of Ohio, Mr. FRANKS of New Jersey, Mrs. MYRICK, Mr. GARY MILLER of California, Mr. McNULTY, Mrs. MORELLA, Mr. LUCAS of Oklahoma, Ms. BERKLEY, Ms. ROS-LEHTINEN, and Mr. CONDIT) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to expand the prohibition on stalking, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stalking Prevention and Victim Protection Act of 1999".

SEC. 2. EXPANSION OF THE PROHIBITION ON STALKING.

(a) IN GENERAL.—Section 2261A of title 18, United States Code, is amended to read as follows:

"§ 2261A. Stalking

"(a) Whoever stalks an individual, in or affecting interstate or foreign commerce, within the special maritime and territorial jurisdiction of the United States, or within Indian country, shall be punished as provided in section 2261.

"(b) For purposes of this section—

"(1) a person stalks an individual if the person, on 2 or more occasions—
 "(A) engages in any conduct that results in the individual's reasonable fear of—

"(i) death or bodily injury to that individual; or

"(ii) the death of, or bodily injury to, a member of that individual's immediate family; and

"(B) knows or has reasonable cause to believe that such conduct results in that fear; and

"(2) the term 'immediate family' means, with respect to an individual, a spouse, parent, child or sibling of the individual, or any other person who regularly resides, or in the most recent 6 months regularly resided, in the household of the individual.

"(c) The court shall at the time of sentencing for an offense under this section issue an appropriate protection order designed to protect the victim from further stalking by the convicted person. That order shall continue in effect until the victim communicates to the court that the order is no longer needed."

(b) NO BAIL IF PRIOR CRIME OF VIOLENCE.—Section 3142(e) of title 18, United States Code, is amended by adding at the end the following: "In a case in which a violation of section 2261A is charged and the person has a prior conviction for a crime of violence under Federal or State law, the judicial officer shall not hold a hearing under subsection (f), and shall order the detention of the person before trial, if that conviction was for an offense against the same victim as in the current charge, or a member of that victim's family, or if that conviction became final less than 5 years before the conduct constituting the alleged violation of section 2261A took place. In computing the 5-year period for the purposes of the application of the preceding sentence, no time shall be included that the convicted person spent in prison pursuant to that conviction."

(c) AMENDMENT TO SENTENCING GUIDELINES.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall amend the Sentencing Guidelines to provide an appropriate sentence enhancement for a defendant convicted under section 2261A of title 18, United States Code, in a case in which the defendant has a prior conviction under Federal or State law of a crime of violence (as defined in section 16 of such title 18) against the same victim as in the current offense or against a member of that victim's family.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 110A of title 18, United States Code, is amended by striking the item relating to section 2261A and inserting the following:

"2261A. Stalking."

Mr. McCOLLUM. I know everybody here is deeply concerned as I am about violent crime perpetrated against women. It is a serious

national problem whether it takes the form of domestic battery, rape, murder or stalking. It seems to me that our ability to respond effectively to such violent crimes is an indicator of our commitment to securing safe neighborhoods and safe communities.

Violence against women first came to be viewed as a serious and widespread social problem in the early 1970's. In response to growing rates of crime against women, Congress passed the Violence Against Women Act as Title IV of the Violent Crime Control and Law Enforcement Act of 1994. VAWA, as it is known, created new criminal enforcement authority and enhanced penalties to combat sexual assault and domestic violence in Federal court. It also authorized several multi-million-dollar grant programs to fight violence against women by providing funds to State and local law enforcement agencies as well as for education, prevention and outreach programs. To date Congress has appropriated approximately \$700 million for the act and is proposing to appropriate an additional \$270 million for fiscal year 2000.

The appropriations authority for VAWA expired after fiscal year 2000, and today's hearing will consider the extent to which these programs have been successful and should be reauthorized. While the reauthorization of this act is likely, when considering to continue this level of Federal spending, we have a responsibility to examine how well VAWA is working. The most important and difficult question to answer is whether VAWA is helping to reduce the incidence of violent crimes against women.

I have no doubt that this act and the programs that were created under it have aided the prosecution of domestic violence, sexual assault and child abuse cases across the country and increased victim services like domestic violence shelters for women. Yet despite the dramatic drop in most categories of crime across the country over the past several years, violent crime committed against women is still a very serious problem. For example, nearly one in every three adult women experiences at least one physical assault by a partner during adulthood. Moreover, women are at increased risk of harm after separation from an abusive partner. Separated women are three times more likely than divorced women and 25 times more likely than married women to be victims of violence at the hands of an intimate partner. According to the National Crime Victimization Survey data from the Department of Justice, between 1992 and 1996 women and girls over 12 years of age experienced annually, on average, 960,000 incidents of assault, rape and murder at the hands of current or former spouses or intimate partners. During that same period the surveys found that men were victims of about 150,000 violent crimes by current or former spouses or former partners. Other surveys have found a much higher rate of domestic violence against women.

H.R. 1248 was introduced by Ms. Morella, who is here with us today—we are delighted you are here, Connie—on March 24, 1999. The bill has 143 cosponsors and bipartisan support and would reauthorize all VAWA programs through 2004 at substantially increased funding levels. It would also create several new programs. I should add that Congressman Conyers, the ranking member of the full Judiciary Committee, has also introduced legislation to reauthorize VAWA, H.R. 357, also called the "Violence Against

Women Act of 1999." It is much broader than H.R. 1248, but contains many of the same provisions.

The second bill we will be examining this morning is H.R. 1869, the "Stalking Prevention and Victim Prevention Act of 1999." It was introduced by Congresswoman Sue Kelly on May 19, 1999, and also enjoys bipartisan support. The bill would substantially amend the Federal antistalking law, 18 USC, §2261A. The first antistalking law was passed only 9 years ago in California. Since then all 50 States have enacted stalking statutes of one form or another. Congress passed the first Federal stalking law in 1996.

H.R. 1869 is based in part on the recommendations of a Justice Department report that developed a model antistalking code for States in 1993. The bill would, among other things, remove the interstate travel element of the offense and replace it with broader language to include other forms of interstate communication, including mail, e-mail and other communication means used by stalkers. In addition, the bill covers stalking offenses that occur within territorial jurisdictions of the United States such as military bases.

H.R. 1869 would also amend the intent requirement in current law with a broader definition of what behavior constitutes stalking. Under current law for a person to commit the crime of stalking, he must actually place the victim, "in reasonable fear of death or serious bodily injury." The bill would broaden the crime to include conduct the stalker, "knows or has reasonable cause to believe results in that fear."

Less than half of all stalking victims are directly threatened by their stalkers. Current language requiring intent to cause death or serious bodily injury creates a serious loophole for stalkers who have not demonstrated specific threats, but have demonstrated threatening behavior that causes real fear in victims.

H.R. 1869 would also require that Federal courts issue appropriate protection orders at the time of sentencing to protect victims from further stalking. Such protection orders would be effective until the victim communicated to the court that the protection order is no longer needed.

We are fortunate to have witnesses testifying today who bring a wealth of knowledge and experience in the area of violence against women and stalking. I am sure their expertise will greatly benefit the subcommittee as we examine this legislation. And I want to thank you for joining us this morning.

I would yield at this time to Congressman Scott for any remarks he may have.

Mr. SCOTT. Thank you, Mr. Chairman. I want to express my appreciation to you for holding this hearing on issues of violence against women and the need to develop effective antistalking legislation. The serious problem of domestic violence is well-documented. According to the National Crime Victimization Survey data from the Department of Justice, between 1992 and 1996, women and girls over 12 experienced on average almost a million incidents of assault, rape and murder at the hands of a former spouse or intimate partner annually. During the same period surveys found that men were victims also.

It is also worth noting that in 1996, 65 percent of all intimate partner homicides involved guns and family, and intimate assaults

involving guns were 12 times more likely to result in death than other family and intimate partner assaults.

In 1994, with the passage of the Violence Against Women Act, or VAWA, we took the first step in trying to address this very serious problem. VAWA created a new criminal enforcement authority and enhanced penalties to combat sexual assault and domestic violence. In addition, VAWA created grant programs to fight violence against women by providing funds to State and local law enforcement agencies as well as funding for education, prevention and outreach programs.

Unfortunately the appropriation authority for VAWA expires after fiscal year 2000. Two bills have been introduced to address this problem. H.R. 1248 was introduced by the gentlelady from Maryland, Mrs. Morella, and would reauthorize VAWA programs at an increased level as well as create some new programs. H.R. 357, as you mentioned, was introduced by the gentleman from Michigan, Mr. Conyers, the ranking member of the Judiciary Committee. It also reauthorizes VAWA programs at increased level, but in addition also includes a broader range of remedies for violence against women.

Our task today is to evaluate the merits of VAWA programs as well as determine what programs to continue and what new programs may be appropriate. I believe that today's testimony will establish the value of the present grant programs provided for and the need not only to continue, but enhance funding for this serious problem.

As you mentioned, the second issue on which we will be hearing testimony today will relate to the need for effective antistalking legislation. The first antistalking law was passed in California approximately 9 years ago. Since then all 50 States have enacted antistalking statutes. Congress passed a Federal antistalking law in 1996.

H.R. 1869 would broaden the present statute in several respects. For example, it expands the interstate activity requirement, presently limited to interstate travel, to include communications such as mail, e-mail or other communication means. In addition, it broadens the definition of what behavior constitutes stalking. Presently the victim must be in reasonable fear of death or serious bodily injury. H.R. 1869 includes conduct that the stalker knows or has reasonable cause to believe results in that fear.

I am confident that the testimony regarding antistalking legislation will clarify why these changes are needed. We all recognize the seriousness of the problem, and our goal today must be to gather all the facts necessary to ensure the most comprehensive and effective antistalking legislation.

So, Mr. Chairman, I want to thank you for scheduling today's hearing, and I look forward to working with you on these issues.

Mr. MCCOLLUM. Thank you very much Mr. Scott.

We have as our guest today Congresswoman Morella, who is the author of the bill. I know she would like to make an opening statement. I would like to request unanimous consent she be permitted, though she is not a member of our panel, to do so. If there is no objection, it is so ordered.

Mrs. Morella, you are so recognized.

Ms. MORELLA. Thank you, Chairman McCollum, and ranking member Scott, Congressman Chabot, I particularly appreciate you allowing me to make just a very brief opening statement, and it will be a brief statement. I want to commend you for scheduling this very important hearing on the tragedy of stalking and violence against women, and more specifically on legislation aimed at combating these types of crimes.

Mr. Chairman, 5 years ago I was very much involved, as many other members were in Congress, very much involved in the passage of the Violence Against Women Act, which became the first time Congress has recognized how domestic violence affects so many women of all ages and very often their children. Congress and Federal support created programs which provided alternatives for victims that helped them rebuild their lives and the lives of their children.

Domestic violence has been a challenge for many women throughout history. Change can only come about with time, awareness and alternatives. The Violence Against Women Act of 1994 has created funds for many critical programs for women and children that have raised awareness and given women safe alternatives over the past 5 years. It has worked. State law enforcement and prosecution grants, the national domestic violence hotline, shelters and community programs, counseling services, child abuse prevention programs have all improved the lives of thousands of women and children in our society. Through these efforts fewer women live their lives ashamed, guilty, and scared. Our legislation has provided outlets which give opportunity for life without always feeling like a victim.

Mr. Chairman and members of the subcommittee, these grants and programs are giving victims a second chance. They must be maintained to continue the commitment that Congress made in 1994 by providing women and children with alternatives to living with fear and danger of domestic violence and child abuse. Awareness is raised every day, and more victims are coming forward. That is a good sign. I know in all of our States throughout the country there are grants that have come from the Violence Against Women Act that are making a difference specifically in local communities. And you have cited in your opening statement, as has Ranking Member Scott, the statistics that indicate the tremendous need for continuing with the Violence Against Women Act.

Alternatives provided to victims and their children through the local programs in so many of our districts have been working. What the process needs from us is time to continue the programs and spread the message that victims of domestic violence will be protected from abuse.

There is no excuse for domestic violence. The crimes of domestic violence and child abuse cannot be tolerated in our society. So I know that there is a very prominent panel, panelists of experts that you have here, and I commend you for selecting them to testify, and I look forward to hearing their testimony. And I hope that this subcommittee, ultimately the full committee, and the House, and the Senate and the President will sign into law the reauthorization and the stalking legislation. And thank you again for this courtesy.

Mr. McCOLLUM. Thank you Mrs. Morella.

Mr. Chabot, as a member of the committee, you should be recognized to make an opening comment.

Mr. CHABOT. I want to commend Congresswoman Connie Morella and the chairman for holding this very important hearing. This is clearly one of the key issues that we as a society have faced for a long time, but I think we are finally starting to face it head on. I look very much forward to hearing the witnesses' testimony here this morning, and rather than hear me go on and on, I would very much prefer to hear from you. Thank you, Mr. Chairman.

Mr. McCOLLUM. Thank you Mr. Chabot.

In a few minutes I will have to ask Mr. Chabot to take the chair, because unfortunately I will have to leave for a little while, but I don't want anyone to misinterpret that. That is not a lessening of the interest on my part, and I assure you he can do well at chairing this hearing.

I am privileged now to introduce our first panel this morning. I want to welcome, first of all, Bonnie J. Campbell, the Director of the Justice Department's Violence Against Women Office.

Ms. Campbell oversees the Department's efforts to combine new Federal criminal laws with assistance to States and localities to fight violence against women. Ms. Campbell has worked to assist victims of crime and to fight violence against women for many years. Elected attorney general of Iowa in 1990, she was the first woman to hold that office in her State. During her tenure she devoted substantial efforts to preventing and fighting domestic violence.

Our next witness is Juley Fulcher, public policy director of the National Coalition Against Domestic Violence. Ms. Fulcher is responsible for all policy strategy and lobbying efforts of the coalition. She has been a visiting professor at Georgetown University Law Center Domestic Violence Clinic. Ms. Fulcher received her JD from Georgetown in 1994 and her Ph.D. in social psychology from Johns Hopkins University in 1991.

Our third witness on this panel is Carole Alexander, who has been the executive director of the House of Ruth, Inc., since 1983. The House of Ruth is one of the Nation's largest and most comprehensive domestic violence programs. Over the past 22 years, the House of Ruth has offered shelter, legal representation, counseling and advocacy to tens of thousands of victims of domestic violence and their families. Ms. Alexander received her undergraduate degree from Purdue university and her master's degree from the University of Chicago.

Finally I am pleased to welcome Patrick Fagan, the William H.G. Fitzgerald Research Fellow in Family and Cultural issues at the Heritage Foundation. A former Deputy Assistant Secretary of Health and Human Services during the Bush administration, Mr. Fagan examines the relationship between family, community and social programs for Heritage. He also studies urban policy, the breakdown of the family in America, crime and cultural issues.

Good morning to all of you. Your complete statements will be entered into the record, and at any point you may summarize.

Ms. Campbell, if you would proceed, we will be glad to hear your testimony. Thank you.

**STATEMENT OF BONNIE CAMPBELL, DIRECTOR, VIOLENCE
AGAINST WOMEN OFFICE, U.S. DEPARTMENT OF JUSTICE**

Ms. CAMPBELL. Thank you, Mr. Chairman, and good morning to everyone. I appreciate this opportunity to testify.

Five years ago Congress passed and the President signed the Violence Against Women Act. The VAWA reflected a comprehensive understanding of the broad range of strategies needed to change this Nation's response to violence against women. Its passage was a watershed event in the continuing struggle to end violence against women, a struggle that was in large part taking place at the local level, one woman, one community, one State at a time.

For the first time Federal resources, Federal law enforcement and Federal prosecutors joined State and local efforts to change the way the justice system responds to violence against women. Since the passage of VAWA, the Department of Justice has launched a multifaceted initiative to combat domestic violence, stalking and sexual assault. Our efforts have been guided by two key principles: ensuring the safety of victims and holding perpetrators accountable for their criminal acts of violence.

The Department has made issues of violence against women central to our work in three important ways. Bringing prosecutions under the Federal domestic violence stalking and firearms laws; raising awareness of these issues; and forging partnerships among police, prosecutors and victim service providers at the State, tribal and local levels through the S.T.O.P. Violence Against Women Formula Grant Program and other VAWA grant programs.

Communities across the country tell us that VAWA funds have been instrumental in their efforts to collaborate on behalf of women victims of violence. Where services for victims were once minimal, VAWA funds have increased access to services and have focused them on victim safety and support. States implementing training efforts with S.T.O.P. Funds report increases in police reports, arrests and successful prosecutions and a decrease in dual arrests in domestic violence cases. Law enforcement reflects on how difficult it would be to do their jobs without victim advocates. And victims' faith in the criminal justice system grows as they are treated more uniformly and sensitively by first responders and as they are receiving assistance in navigating the system.

This terrific progress provides a snapshot of the challenging work going on in local communities in your home States, but this is only part of a somewhat more sobering picture. Violent crime, while going down, still devastates the lives of too many women. Domestic violence alone, violence by intimates, still accounts for about 20 percent of all violent crimes against women and about 30 percent of all murders of women in America. Over 1 million women are stalked each year, and a quarter million were sexually assaulted in 1996 alone.

Plainly, we have much more work to do. I would like to focus on two areas in my testimony today, the VAWA grant programs and Federal prosecutions. First I want to emphasize that the Federal funds appropriated for VAWA grant programs are making a difference. The Department of Justice has awarded nearly \$800 million through VAWA grant programs since 1994, directing critical resources to communities' efforts to respond to violence against

women. These grants finance community initiatives involving victim service providers, victim advocates, law enforcement, prosecutors, courts, health care providers and community organizations representing educators, businesses, members of the clergy and others involved in the fight to end violence against women.

Federal funds under VAWA have reached across the Nation from remote rural communities to large urban centers, from nonprofit domestic violence shelters to State prosecutors' offices. They have made a difference in women's lives, and they have made a difference in the way communities respond to violence against women.

With Federal assistance, States tribes and local communities are beginning to make headway. The progress is real, but in many ways the gains are no more than a beachhead in the struggle to end violence against women. So while I can take great pleasure in reporting the successes of the VAWA grant programs, one should not think we have become complacent. Much remains to be done to effect the fundamental changes in our country's response to violence against women that VAWA envisioned.

Vigorous prosecution under the VAWA and related criminal provisions is a top priority for the Department and has resulted in more than 179 indictments. Considering the narrow reach of these statutes, the number of indictments is significant. These prosecution efforts succeed and will continue to succeed because the U.S. Attorney's offices have forged prosecution partnerships with their State locality and tribal counterparts, allowing them to bring Federal cases where appropriate.

VAWA was not intended to supplant State and local prosecution of domestic violence crimes. The vast majority of domestic violence cases continue to be prosecuted at the State, local and tribal level. Still, the Federal Government does have an important role to play in supplementing State and local efforts. In some cases the Federal prosecution may carry a more severe and appropriate punishment for an offender than a prosecution under a similar State law. Where a defendant has traveled from State to State, it may be difficult for local law enforcement officials to gather evidence. This is not as problematic for Federal prosecution because of the nationwide resources of the FBI. In other cases, a State prosecutor may request that a case be referred for Federal prosecution to maximize the chance that a Federal court will detain the defendant pending trial. The United States Attorney's offices continue to build partnerships with their State, local and tribal counterparts. The Department supports these efforts to draw referral of cases that are appropriate for Federal prosecution.

Finally, in these last 5 years, we have sent a strong message that violence against women is unacceptable in our society. But 5 years is not enough to stop the culture of violence in this country. We have built a framework to change this Nation's response to domestic violence, sexual assault and stalking. But there is much more to do. Without the reauthorization of the VAWA grant programs, this framework we have built will crumble. The Department looks forward to working with this committee to ensure that that does not happen and to build on the great progress we have made since the enactment of VAWA.

This concludes my testimony, and I ask that my longer written statement be placed in the record. Thank you very much.

Mr. McCOLLUM. Without objection, it certainly is.

[The prepared statement of Ms. Campbell follows:]

PREPARED STATEMENT OF BONNIE CAMPBELL, DIRECTOR, VIOLENCE AGAINST WOMEN
OFFICE, U.S. DEPARTMENT OF JUSTICE

I. INTRODUCTION

Five years ago, Congress passed and the President signed the Violence Against Women Act as part of the historic 1994 Crime Act. VAWA reflected a comprehensive understanding of the broad range of strategies needed to change this nation's response to violence against women. Its passage was a watershed event in the continuing struggle to end violence against women—a struggle that was in large part taking place at the local level—one woman, one community, one state at a time. For the first time, federal resources, federal law enforcement, and federal prosecutors joined state and local efforts to change the way the justice system responds to violence against women. VAWA encourages federal, state, tribal, and local governments to collaborate—to work together to figure out how to end the terrible scourge of domestic violence, sexual assault, and stalking that was shattering the lives of so many of this nation's women, children, and families. Today, law enforcement, prosecutors, judges, and women's advocates are working together—to sit down around the same table, to share information and ideas, and to work hand in hand to keep women safe and hold offenders accountable.

Since the passage of VAWA, the Department of Justice has launched a multi-faceted initiative to combat domestic violence, stalking, and sexual assault. Our efforts have been guided by two key principles: ensuring the safety of victims and holding perpetrators accountable for their acts. The Department has made issues of violence against women central to our work in three important ways: bringing prosecutions under the federal domestic violence, stalking, and firearms laws; raising awareness of VAWA and of the issues of domestic violence, stalking, and sexual assault in communities throughout the country; and forging partnerships among police, prosecutors, and victim service providers at the state, tribal, and local levels through the STOP Violence Against Women Formula Grant Program and the other VAWA grant programs. We have also worked closely on this initiative with state, local, and tribal judges.

There is no question that VAWA is making a difference. Under VAWA, communities across the country and all levels of government are creating coordinated, community-wide responses and are setting up the infrastructure needed to improve our response to violence against women:

- States and tribes are changing their laws to make sure that violence against women is treated as a serious crime. According to the National Council of Juvenile and Family Court Judges, 24 states, including the District of Columbia, mandate arrest for most domestic violence offenses. Forty-nine states now authorize law enforcement to make an arrest for violation of a protection order.
- Jurisdictions around the country are changing the way they handle domestic violence cases to make sure these cases are given the attention they need. Court systems in 36 states now have some type of special court jurisdiction, structure, or services to handle domestic violence cases.
- States are acting to lift some of the costs of victimization from women who were victimized by violence. As required to receive funding under VAWA, all 50 states and the District of Columbia now have some provision for covering the cost of a forensic rape exam. According to the National Conference of State Legislatures, all 50 states and the District of Columbia mandate or authorize that charged or convicted sex offenders be tested for HIV.
- States increasingly recognize that domestic violence hurts children, too. Forty-two states plus the District of Columbia now include domestic violence as a factor in custody decisions.
- U.S. Attorneys have each appointed special VAWA Points of Contact (POCs) in their offices to help coordinate prosecution of federal VAWA crimes. We have obtained over 179 indictments under these offenses to date. In addition, the Executive Office for United States Attorneys has a VAWA Specialist in place to provide training and technical assistance to the VAWA POCs.

- The Bureau of Justice Statistics estimates that in 1997, more than 7,700 of the 69,000 handgun sales blocked through presale background checks were denied because of a domestic violence misdemeanor conviction or a valid restraining order. And from January 1, 1998 to November 29, 1998, 9,310 of the 70,000 blocked handgun sales were denied for these reasons as well.

This terrific progress provides a snapshot of the challenging work going on in local communities in your home states and at the federal level. But this is only part of a somewhat more sobering picture: Violent crime, while going down, still devastates the lives of too many women. Domestic violence alone—violence by intimates—still accounts for about 20% of all violent crimes against women and about 30% of all murders of women in America. Over one million women are stalked each year, and a quarter million were sexually assaulted in 1996 alone. Plainly, we have much more work to do.

The infrastructure we are building with VAWA is a critical start. But what happens to an individual woman who is battered or assaulted depends so much on whether she knows of the services available to her; whether she has enough confidence in the criminal justice system to come forward; whether the police officer who responds does so with understanding, support, and information; whether the judge who hears her case understands the dynamics of domestic violence or sexual assault and the legal avenues available to a judge to intervene to make a difference; whether her abuser or attacker is truly held accountable; and whether she gets the help she needs through the justice, social service, and health systems to stay safe and rid her life of the effects of violence. With continued training—we can build trust. With continued collaboration within communities, and among all the people and agencies that get involved in a woman's life when she is victimized by violence—we can build effective, responsive criminal and civil justice systems. We can reach more women, and save more lives. But there is still a long road ahead of us. Let me tell you what steps we have taken, and what we see ahead as we work on achieving VAWA's goals.

II. FEDERAL FUNDS ARE MAKING A DIFFERENCE

The Department of Justice has awarded nearly 800 million dollars through VAWA grant programs since 1994, directing critical resources to communities' efforts to respond to violence against women. These grants finance community initiatives involving victim service providers, victims' advocates, law enforcement, prosecutors, courts, health care providers, and community organizations representing educators, businesses, members of the clergy, and others involved in the fight to end violence against women. Federal funds under VAWA have reached across the nation—from remote, rural communities to large urban centers; from nonprofit domestic violence shelters to state prosecutors' offices. They have made a difference in women's lives. And they have made a difference in how communities respond to violence against women—by bringing together police, prosecutors, advocates, judges, and others to figure out the best way to meet their communities' most pressing needs.

With federal assistance, states, tribes, and local communities are beginning to make headway. The progress is real. But in many ways, the gains are no more than a beachhead in the struggle to end violence against women. So, while I can take great pleasure in reporting the successes of the VAWA grant programs, one should not think we have become complacent. Much remains to be done to effect the fundamental changes in our country's response to violence against women that VAWA envisioned.

STOP Formula Grant Program

The Department's largest VAWA grant program is the S•T•O•P Violence Against Women Formula Grant Program. "S•T•O•P" stands for "Services•Training•Officers•Prosecutors"—encapsulating the collaborative goals of this program. Since 1994, the S•T•O•P Program has provided more than \$549 million to all 50 states, the District of Columbia, and 6 territories; over \$138 million in Fiscal Year 1999 alone. As required by VAWA, states have pulled together law enforcement representatives, prosecutors, and victim services providers to design a statewide plan for the use of these funds. States have awarded over 5,000 S•T•O•P subgrants.—This number is outdated even as I speak, as states award funds to local projects on a rolling basis.—Most of the projects provide at least some direct services to victims; roughly one quarter train law enforcement officers or prosecutors; and about 10% support specialized law enforcement or prosecution units or the development of policies and protocols for responding to violence against women. All are changing the way communities respond to domestic violence, sexual assault, and stalking.

- In Cache County, Utah, S•T•O•P funds support a sexual assault prosecutor. In the seven years before this prosecutor was hired, the county had not charged a single sexual assault case. In 1997 alone, the prosecutor's office handled more than 60 sexual assault cases.
- In California, more than 6,000 law enforcement officers statewide have been trained on investigation of stalking cases.
- In Delaware, S•T•O•P funds have trained police officers on domestic violence, and two counties are focusing on the often neglected elderly victims of domestic violence. As a result, a victim of domestic violence was able to become self-sufficient and end 40 years of violence at the hands of an abusive husband who did not let her talk to others, eat when she was hungry, or even take an aspirin for pain without his permission.
- Communities around the country are setting up cell phone programs that give women who are stalked immediate contact with police in an emergency.
- In Alabama, mobile units have been set up to travel to rural areas to provide on-site assistance to domestic violence victims.

We can build from these initial successes. States tell us that they see a real need to involve courts in all their efforts to end violence against women. The Department will support the expanded involvement of courts in STOP grant partnerships and also will continue its emphasis on sexual assault and stalking programs.

S•T•O•P Violence Against Indian Women

Under the S•T•O•P Program, VAWA sets aside funds each year to combat domestic and sexual violence against women in Indian country: a total of \$21.1 million has been awarded to tribes under this program, including nearly \$5 million in Fiscal Year 1999. Tribes are using the funds to develop and strengthen the response of tribal justice systems to violent crimes against women. The activities of the S•T•O•P Program have also raised awareness of domestic violence and sexual assault among tribal leaders and communities, and VAWA grant funds have promoted a number of approaches to confronting these crimes in Native communities. Under all five VAWA discretionary grant programs, more than \$34 million has been awarded to 142 Indian tribal governments and organizations, serving 281 Native communities. This is having a measurable impact. For example:

- On the Pine Ridge Indian Reservation in South Dakota, law enforcement officers were making dual arrests in 10% of all domestic violence cases in 1996, which is a high percentage. After VAWA funds helped train officers on how to identify the predominate aggressor, the dual arrest rate dropped to less than 2% in 1997. Women are no longer arrested for having defended themselves against abuse. The Oglala Sioux Nation also used its law enforcement allocation to train tribal police officers and hire specialized domestic violence probation officers to monitor perpetrators' compliance with the conditions of their probation orders. These efforts resulted in 590 arrests for domestic abuse in 1996 alone.
- Numerous tribal governments allocated S•T•O•P Program dollars to create shelters, safe houses, and advocacy services for battered women. For example: the Zuni Pueblo in New Mexico opened the New Beginnings Shelter, making shelter and advocacy services available for the first time to women in the pueblo. Services are provided in the Zuni language and are designed specifically to assist Zuni women through the pueblo's justice system.
- The Chugachmiut project in Alaska has been successful in improving coordination between local law enforcement, prosecution, medical, and victim advocate agencies to respond appropriately to violence against women in Native communities. In particular, the project has provided cultural competency training to over 200 individuals from these disciplines in the region, and others, such as school teachers and youth workers, are asking to attend the trainings as well.
- The White Mountain Apache Tribe of Arizona uses its prosecution allocation to support an advocate who works within its prosecutor's office to assist and support victims of domestic violence and sexual assault.

Grants to Encourage Arrest Policies Program

The Grants to Encourage Arrest Policies Program has reached communities across the country to assist in their efforts to use the power of the criminal justice system to keep victims safe and hold offenders accountable. Over \$108 million has been awarded through Fiscal Year 1998, and the Department expects to award another

\$28.5 million for Fiscal Year 1999. As required under all VAWA grant programs, communities must document their collaboration on efforts to prevent and stop violence against women just to qualify for a grant under this program—the result has again been the growth of new partnerships and a deeper understanding of domestic violence:

- In order to promote the effective preparation and prosecution of domestic violence cases, Milwaukee County, Wisconsin has used funding from this program to add three assistant district attorneys and three victim liaisons to the Office of the District Attorney's Domestic Violence Unit. Additionally, Milwaukee County has used grant funds to make available on weekends the services of nonprofit, nongovernmental victim advocacy agencies.
- With funding from the Grants to Encourage Arrest Policies Program, St. Tammany Parish, Louisiana has enhanced and strengthened its ability to provide victims of domestic violence with support, advocacy, and safety as cases against their abusers proceed through the criminal justice system. Specifically, St. Tammany Parish has made training on the proper and effective treatment of domestic violence cases available to all law enforcement officers in the Parish, created domestic violence units within the Sheriff's Office and the prosecutor's office, and opened a satellite office of the local shelter, Safe Harbor, in order to serve women on the Parish's west end.
- Since the Salem, Massachusetts, Police Department first began receiving VAWA funds to improve outreach and training, the number of domestic violence calls to the police has more than doubled as a result of increased confidence in the justice system response, and police officers responding to these calls are spending nearly twice as long at the scene, resulting in improved prosecutions.
- In Colorado Springs, Colorado, victim advocates and law enforcement officers from seven rural jurisdictions meet daily to assess and respond to all domestic violence cases. Together, this team has established a broad range of services and shelters for battered women to reach across these neighboring rural communities.
- Tribal law enforcement officers in several jurisdictions have begun to develop arrest protocols. Bench books for tribal judges and manuals for tribal prosecutors are also being developed.

Looking to the future, we will fund projects that implement VAWA's full faith and credit directive, and that establish comprehensive, court-centered programs that recognize the critical role judges play in ending violence through increased judicial oversight and monitoring of domestic violence offenders. Our goal is to continue to invest in communities to help develop the infrastructure needed to sustain effective, responsive, and collaborative programs addressing violence against women.

Rural Domestic Violence and Child Abuse Enforcement Program

Over \$30 million has been awarded through Fiscal Year 1998 to rural states and jurisdictions to assist in strengthening the investigation, prosecution, and delivery of victim services in domestic violence and child abuse cases. An additional \$20.6 million was awarded this month.

- In Bonner County, Idaho, where no domestic violence program existed prior to a 1997 Rural award, advocates respond with law enforcement to domestic violence calls and provide outreach and follow-up services to victims. VAWA funds have also supported the opening of a shelter for battered women and their children. In the first year, advocates served 172 victims, and the shelter served 65 women and 67 children. In 1998, the advocates served 215 victims, and the shelter served 56 women and 64 children.
- In rural Massachusetts, health and human service providers, law enforcement officials, clergy, and others are receiving training to address domestic violence and child victimization in their communities. The goals of the project include prevention through community education and outreach, advocacy and counseling to children and non-offending parents, and coalition building to address victims' safety and access to community resources.
- Chatham County, North Carolina is enhancing services to Latina victims of domestic violence by establishing an outreach office where a large percentage of the Latino population resides and by recruiting and training members of the Latino community to work as advocates. In addition, criminal justice and human service personnel are being trained on providing a culturally specific response to Latina victims.

- A tri-state collaborative project in North Dakota, Wyoming, and Montana has disseminated over 15,000 guidebooks for cosmetologists, clergy, educators, social workers, and health care providers to enable them to act as "first responders" to battered women in rural communities. The guidebooks instruct readers on how to listen to women, identify abuse, and refer them to available resources.

One victim advocate in rural Oregon described first hand the difference VAWA funds had made. With a Rural Grant, her community set up a domestic violence intervention team with police, sheriffs, prosecutors, and victim advocates that meets once a week to discuss cases. In a letter to the Department, she said:

"The flow of information is incredible. We have access to resources and information that we would not have had without this collaborative effort . . . Quite often we find ourselves looking at each other and saying, 'this is really working!'"

What better testament to the success of VAWA's design and the impact of our grant programs.

Rural communities are reaching farther to respond to domestic violence and child abuse and to identify how technology can help address the geographic isolation that limits services. Many rural areas are seeking to establish supervised visitation centers, where court-ordered visitation can occur without putting women or children at risk. Others are recognizing the needs of underserved communities and plan to develop bilingual police or advocacy units.

Domestic Violence Victims' Civil Legal Assistance Program

While the central goal of VAWA is to improve the criminal justice system's response to violence against women, victims face related problems in civil matters such as custody and visitation, abuse and neglect, child support, divorce, and other civil cases where domestic violence is involved. Child custody cases involving domestic violence pose particularly difficult challenges for judges, battered women, and children. In October 1998, the Department awarded \$11.5 million to victims and legal services organizations, battered women's shelters, law school clinics, and bar associations to strengthen civil legal assistance for victims of domestic violence. The Department awarded another \$21.9 million in June of this year.

The volume of applications reflects the tremendous need for civil legal assistance that we have heard about from domestic violence advocates in the field: last year, the Department received 339 requests for funding totaling more than \$80 million, even though individual requests were for relatively modest amounts of less than \$350,000. These funds can make all the difference in helping victims begin to pick up the pieces and take practical steps to bring order back to their lives. This program, too, has prompted innovative collaborations among victim advocates, legal services providers, the private bar, and law schools:

- Through the George Washington University Law School's Domestic Violence Advocacy Project in Washington, D.C., law students work with hospital emergency room personnel and are available 24 hours a day to respond to the legal needs of battered women.
- In Eugene, Oregon, the grant funds will allow the Lane County Legal Aid Society to partner with shelters to provide representation to battered women in protection order hearings and other civil matters.

Grants to Combat Violent Crimes Against Women on Campuses

Our newest program provides grants to combat violence against women on campuses. The Department has recently received 125 applications under this program to develop comprehensive, coordinated responses to violent crimes against women on campuses, including sexual assault, domestic violence, and stalking. This program was authorized under the Higher Education Amendments of 1998 and requires campuses to develop partnerships with nonprofit, nongovernmental victim advocacy organizations and local criminal justice or civil legal agencies to enhance victim safety and offender accountability and to prevent these crimes. Congress appropriated \$10 million in fiscal year 1999 to encourage institutions of higher education to adopt a coordinated community response to violence against women. We expect to announce 21 awards to institutions of higher education in the next two weeks.

Children's Exposure to Domestic Violence

An emerging body of research shows that children who witness domestic violence manifest a range of behavioral and emotional problems, and there is some evidence that they are more likely to use violence as adults. Studies also demonstrate a significant co-occurrence of domestic violence and child abuse, revealing that in 30 to

60 percent of cases where women are abused, their children are also maltreated. If we are going to help our young people to lead lives free from violence, we must intervene early to make sure that abused and neglected children and children who witness domestic violence do not turn to violence themselves. The Department is supporting efforts to break the inter-generational cycle of violence, guided by the principle that most often, when moms are safe, their kids are safe too.

- Under VAWA's rural grant program, grantees are using federal funds to develop partnerships between child protection workers and battered women's advocates to help address the co-occurrence of domestic violence and child abuse and to ensure the safety of battered women and their children. For example, a community partnership in Oregon places domestic violence advocates in three local child welfare offices to provide consultation to child protection workers and direct service to clients.
- In Miami-Dade County's Juvenile Court, VAWA funds are supporting a demonstration project that provides domestic violence screening and advocacy for battered women in child abuse and neglect cases. The result is the coordination of intervention services for battered women and their children, making it possible to protect children while reducing the likelihood that battered women will be revictimized or held accountable for the actions of their abusers.
- Deputy Attorney General Eric Holder is leading the Department's Children Exposed to Violence Initiative, which involves a range of efforts that promote justice system reform and encourage a new level of multi-disciplinary collaboration to address the needs of children who are victims of, or witnesses to, violence. In June of this year, in conjunction with the Department of Health and Human Services, he convened a national summit on children exposed to violence that brought together scholars, clinicians, service providers, policy makers, law enforcement, and judges to share best practices and develop a blueprint for local action. The summit highlighted the need for communities to support and protect battered women as a critical component of any effort to protect children.
- As part of the Children Exposed to Violence Initiative, the Department is supporting New Haven, Connecticut's Child Development-Community Policing Project, in which police "first responders" at a violent crime scene receive mental health training and work with child development specialists to give traumatized children the support they need. VAWA funds for this project support advocacy and therapeutic services for battered women, as well as for their children who have witnessed violence in the home.

Through these and other efforts, the Department will continue to support innovative community collaboration to intervene effectively in cases involving children's exposure to domestic violence as well as the co-occurrence of domestic violence and child abuse.

COPS Domestic Violence Grants

The Department's Office of Community Oriented Policing Services (COPS) has dedicated over \$58.5 million to efforts designed to address domestic violence through increased community policing as part of a community-wide response to violence against women. In 1996, under the Community Policing to Combat Domestic Violence Program, COPS awarded over \$46 million to 336 agencies. To qualify for funding, law enforcement entities were required to apply jointly with community service or victim advocate organizations to execute well-planned, innovative strategies. In 1998, COPS spent \$10 million to fund training, research and evaluation, and test sites where law enforcement forms partnerships with community service or victim advocate organizations to enhance coordinated community responses to domestic violence. COPS gives priority to programs addressing nationwide enforcement of protection orders, multi-disciplinary working groups, domestic violence in tribal lands, underserved populations, and threat assessment.

- The Bristol, Connecticut Police Department has held trainings for all officers on how to assist victims of domestic violence with safety planning and risk assessment. It has also developed a video for local cable television on domestic violence, and formed community policing partnerships with court personnel, educators, state social services officials, and the religious community to combat domestic violence.
- The Colorado Springs, Colorado Police Department developed a 21-person domestic violence team representing a variety of community groups to train officers on dealing with domestic violence issues. Each officer works with the

team for 100 hours to learn about and develop strategies to combat domestic violence, to assist victims, and to use risk assessments to reduce future incidents.

- In Arizona, the Whiteriver Police Department developed a movie on domestic violence from the Native American perspective. Additionally, two police officers received training as domestic violence specialists. They, in turn, provided training to other officers, departments, and community groups on this issue.

Training and Technical Assistance

Using funds drawn from each of the major VAWA grant programs, the Department also works to build the capacity of national criminal justice and victim advocacy organizations to foster community partnerships and to respond effectively to violence against women. The Department will have awarded over \$36 million through Fiscal Year 1999 for this purpose. Through this program, we can bring needed expertise to communities that are working, most for the first time, to develop a comprehensive response to violence against women. The Department also sponsors mentoring efforts and peer-to-peer consultations, making it possible for people who want to establish effective programs in their community to visit and learn from expert professionals and successful programs in other communities.

One administrator responsible for coordinating the VAWA program in her state commented upon her return from a site consultation that it had completely changed her understanding of what it means to provide a coordinated community response to domestic violence. Since then, innovative collaborative projects have proliferated in her state.

Other technical assistance efforts provide training, policy development, and information, including:

- Judicial Institutes, sponsored by the National Council of Juvenile and Family Court Judges and the Family Violence Prevention Fund, to assist judges in handling civil and criminal cases involving domestic violence;
- Development by the International Association of Chiefs of Police of a model policy and procedures for handling domestic violence and abuse cases involving police officers;
- Development of a Promising Practices Manual by the STOP Violence Against Women Grants Technical Assistance Project that describes approaches developed and undertaken in local communities to address violence against women; and
- A collaborative effort led by the Washington Coalition of Sexual Assault Programs to share resources and information, to mentor newly formed coalitions nationwide, and to develop strategies for providing technical assistance and training to improve the response of communities and the criminal justice system to sexual assault.

Finally, while the focus of my testimony is the Department's efforts under the Violence Against Women Act, I would also like to highlight that the Act also provides valuable social services to victims of domestic violence through programs administered by the Department of Health and Human Services. These include the development and management of battered women's shelters, the Domestic Violence Hotline, outreach on the street, rape prevention education, and community-based prevention and intervention programs.

VAWA recognized that the serious national threats of domestic violence and sexual assault require a heightened and comprehensive federal plan, and represented a breakthrough in government response. The law acknowledged that violence against women is both a criminal justice problem, requiring new law enforcement tools, and a human services and health issue, requiring support for social and health services, education, and prevention. This allowed a unique partnership between the Department of Justice and the Department of Health and Human Services.

III. RESEARCH, EVALUATION, AND OUTREACH ARE GUIDING FUTURE WORK

This nation should be proud of all we have accomplished in such a short time. We know that our work is far from done, however. Our understanding of what works—and what does not work—to address violence against women grows yearly. This understanding informs our future efforts.

Although we are in the very early stages of evaluating the VAWA grant programs, we know much more now than we did five years ago. Research funded through VAWA has contributed in great measure to this knowledge. The National Institute of Justice (NIJ) continues to play a central role in supporting research to under-

stand the nature, scope, causes, and consequences of violence against women. NIJ's work explores how to prevent violence against women and how to make sure that our responses to it are effective. NIJ funds family violence research directly; it jointly conducts research with the Centers for Disease Control; it coordinates evaluations of our VAWA grant programs; and it participates in the Interagency Consortium for Research on Violence Against Women and Family Violence.

- The first-ever national study of stalking, released in April 1998, is one example of NIJ's work: jointly funded by NIJ and the Centers for Disease Control, this study found that over one million women are stalked each year; most are stalked by men; and many are either beaten or raped in connection with the stalking.
- A second jointly funded study based on the findings from the National Violence Against Women Survey was released in November 1998. It reports that 18 percent of the women surveyed said they experienced a completed or attempted rape at some time in their life, and 76 percent of the women who said they were raped and/or physically assaulted since age 18 were assaulted by a current or former husband, cohabitating partner, or date. The study also found that Indian women experienced the highest rates of physical and sexual abuse as compared to all other segments of the population.

Such studies help guide policies and programs. In addition, NIJ is requiring researchers to team up with victim advocacy partners at the outset of research projects, to make sure that the research will be useful to those on the front lines.

The Department's Bureau of Justice Statistics (BJS) also enhances understanding of family violence. The March 1998 report, "Violence By Intimates," compiles a wealth of data that help us to understand this complex issue. BJS's National Crime Victimization Survey (NCVS), which conducts nearly 200,000 interviews annually with the American public, is the Nation's window into the problems of domestic and family violence. For 1998, BJS found that about 12% of violence is between people who share an intimate relationship (current and former spouses, boyfriends, and girlfriends) and another 6% involves crimes committed against other relatives and family members. According to self-reports to the NCVS from victims of rape or sexual assault, nearly 3 out of 4 victims had a prior relationship with the offender as an intimate, relative, or acquaintance. Nearly 6 in 10 robbery victims, however, reported that the offender had been a stranger to them.

Similarly, the February 1999 report, "American Indians and Crime," is the Department's first comprehensive statistical analysis of Indians and crime. The report indicates that for the years 1992 through 1996, American Indians were the victims of violent crimes at more than twice the rate of all U.S. residents. It also reveals that the victimization rate for American Indian women, at 98 per 1,000, is more than twice the rate for white women (40 per 1,000) and significantly higher than that for black women (56 per 1,000). More than half of the violent victimizations of American Indians involved offenders with whom the victim had a prior relationship. The Department makes sure that this information gets out to the field, to the people who can use it in the work that they do.

Outreach and Education

The Department has been a leader in bringing the issue of violence against women to the fore. In 1995, President Clinton named me as the Director of the Violence Against Women Office (VAWO) at the Department of Justice. The office, which is housed in the Office of Justice Programs, handles legal and policy issues, administers the VAWA grant programs, coordinates Departmental efforts on violence against women, and provides national and international leadership to combat violence against women. This office has worked tirelessly to get the message out and to make certain that VAWA is working at the front lines, where women's safety is at risk. I have traveled to every region of the country and have delivered over 236 speeches to prosecutors, law enforcement groups, judges, domestic violence advocacy groups, women's centers, colleges, universities, health professionals, and many, many others.

VAWO works within the federal government, representing the Department on the President's Interagency Council on Women and helping to bring focus within other agencies on issues of violence against women. Through the work of this office, the Department is collaborating with the Departments of Health and Human Services, Housing and Urban Development, and other federal agencies on a wide variety of initiatives to address violence against women.

As the issue of violence against women has taken on global importance, VAWO has represented the Department internationally as well. In October 1996, I led a delegation of U.S. experts to the U.S.-Russian conference on domestic violence in

Moscow, the first high level meeting on this issue in Russia. In September 1998, Violence Against Women Office senior staff, together with the Department's Office for Victims of Crime, led a workshop at the World Conference on Family Violence in Singapore. Other countries look to the U.S. Department of Justice for our leadership and technical assistance on strategies to develop laws, change policies, and promote public discourse on violence against women within their own societies. VAWO has been a leader within this country and internationally not only on the issues of domestic violence, sexual assault, and stalking, but also on trafficking in persons, an emerging form of violence against women in which women and girls are taken from one country and forced to work in another in dehumanizing conditions, where they are stripped of their rights, their safety, and their dignity.

In addition to VAWO's work, the Department makes sure that everything we are learning about violence against women is in the hands of advocates, prosecutors, judges, and others who need it most. Through newsletters, reports, and an actively maintained and ever expanding Internet website, we ensure that information about violence against women research, programs, and intervention strategies is readily available.

IV. KEEPING VICTIMS SAFE AND HOLDING OFFENDERS ACCOUNTABLE

Criminal Prosecutions Under VAWA

The three VAWA and two VAWA-related criminal provisions prohibit crossing state or tribal lines to commit domestic violence, interstate stalking, crossing state or tribal lines to violate a protection order, and possessing a firearm while under a domestic violence protection order or if convicted of a misdemeanor crime of domestic violence. While the vast majority of domestic violence cases continue to be prosecuted on the state, local, and tribal level, these statutory tools enable federal law enforcement to prosecute and to obtain severe penalties in appropriate cases in cooperation with the local authorities. Vigorous prosecution of the VAWA and VAWA-related offenses is a top priority for the Department. These prosecution efforts, which have resulted in over 179 indictments, succeed and will continue to succeed because the United States Attorneys' Offices have forged prosecution partnerships with their state, local, and tribal counterparts, allowing them to bring federal cases where appropriate.

While the VAWA was not intended to supplant state and local prosecution of domestic violence crimes, the federal government has an important role to play in supplementing state and local efforts. In some cases, a federal prosecution may carry a more severe and appropriate punishment for an offender than a prosecution under a similar state law. Where a defendant has traveled from state to state, it may be difficult for local law enforcement officials to gather evidence. This is not as problematic in a federal prosecution because of the nationwide resources of the Federal Bureau of Investigation. In other cases, a state prosecutor may request that the case be referred for federal prosecution because, once detained by a federal court, a defendant is more likely to remain in custody prior to trial.

The Department has prosecuted over 179 cases under the VAWA and VAWA-related criminal provisions of the federal statutes. Considering the narrow reach of these statutes, the number of indictments is significant. The largest number of indictments has been brought under Section 922(g)(8) of Title 18, United States Code, which prohibits possession of a firearm and/or ammunition that have an interstate nexus while subject to a valid, qualifying protection order. This charge addresses a particularly volatile situation generally not prosecuted adequately on a local level: a person possesses a firearm while subject to a protection order that includes a judicial finding of that person's dangerousness. Given that firearms are used in 65 percent of all domestic violence murders, this statute provides vital protection for victims of domestic violence.

There was a significant increase in 922(g)(9) prosecutions from 1997 to 1998. This provision prohibits possession of a firearm by anyone convicted of a misdemeanor crime of domestic violence. This increase is likely attributable to greater awareness among local law enforcement of the availability of this powerful tool to disarm convicted abusers. The Department will continue its education efforts to ensure continued application of this statute.

Generally, the VAWA and VAWA-related cases involve (1) extreme domestic violence and interstate travel where prosecution in the state system would have been difficult; (2) domestic violence involving travel to and from Indian country; (3) federal prosecution to increase the likelihood of detention of the defendant and/or restitution for the victim's losses; or (4) federal prosecution to surmount inadequate state, local or tribal remedies.

For example:

- The United States prosecuted a defendant who severely beat his wife, placed her inside the trunk of his car, and drove between West Virginia and Kentucky over the next five days before he brought his wife to an emergency room in Kentucky. The victim remains and is expected to remain in a permanent vegetative state as a result of her injuries. At the time, the bail system in either Kentucky or West Virginia might have led to the release of the defendant. Moreover, prosecution in West Virginia would have been delayed pending certain forensic tests. Instead, the defendant was detained on federal charges. The defendant was prosecuted for kidnaping and interstate domestic violence. He was convicted and received a sentence of life imprisonment without parole.
- In the Western District of Texas, the United States Attorney's Office prosecuted a defendant who traveled from Alabama, where he was released from federal custody for interstate threatening phone calls to one ex-wife, to Texas, where he terrorized another ex-wife and his three grown sons. The defendant was convicted of interstate stalking. At sentencing, the court considered the defendant's lengthy history of domestic abuse of the four stalking victims, a history that included beatings, torture, abandonment, threats to kill, stabbing and burning, and departed upward from the sentencing guidelines to impose a maximum sentence of twenty (20) years.
- In the District of North Dakota, the United States prosecuted a defendant who assaulted his wife, a Native American, in Indian country, forcibly drove her out of Indian country, raped her, and then returned her to Indian country. He was convicted at trial of kidnaping, assault resulting in serious bodily injury and interstate (predicated on the travel in and out of Indian country) domestic violence. He was sentenced to 262 months imprisonment.
- In the Southern District of New York, the United States prosecuted a defendant for the murder of her estranged husband. The defendant, along with her accomplice, traveled from New Jersey to New York, lay in wait in her husband's apartment armed with axes, and murdered him when he returned home. The victim was then dismembered. The crime was uncovered by an astute local police officer who discovered the defendant's accomplice disposing of the body parts into a local river.

The main witness against the defendant was the accomplice. Under New York law, a conviction cannot rest upon uncorroborated accomplice testimony. To avoid this potential evidentiary obstacle, the District Attorney's Office referred the case to the United States Attorney's Office and an Assistant District Attorney was cross-designated as a Special Assistant United States Attorney for the trial of the case. The defendant was convicted of interstate domestic violence and sentenced to life imprisonment. The maximum penalty in New York was twenty-five years to life with parole eligibility after twenty-five years.

- In the Eastern District of Pennsylvania, the United States prosecuted a defendant for shooting at his estranged wife while she was working in a preschool playground, narrowly missing her and the children. At the time of the shooting, the defendant was subject to a qualifying protection order.

The case was initially presented to the District Attorney's office. State prosecution of attempted murder would have required proof of the defendant's intent at the time of the shooting. Federal prosecution instead required only possession of the firearm while subject to a qualifying protection order and had no specific intent requirement. The District Attorney's office referred the case for prosecution and the defendant pled guilty to the federal charge.

At sentencing, the Court granted the Government's request for an upward departure, based upon the danger presented to the young children in the playground, and sentenced the defendant to a sixty-six (66) month term of imprisonment.

- In the Western District of New York, the United States prosecuted a former federal agent for physically confronting his ex-wife after imposition of a protection order preventing any such contact. Investigation uncovered that the defendant had traveled from Texas to New York and brought with him a loaded semiautomatic pistol.

The case was originally presented to the District Attorney's office, who referred the case to the United States Attorney's Office after concern arose that the defendant would be released on bail. The defendant was detained on the federal charges and pled guilty to interstate travel to violate a protection order. The court sentenced the defendant to thirty (30) months' imprisonment.

and imposed a \$20,000 restitution award to compensate the victim for lost wages, past and future counseling costs and other expenses.

The Department's Implementation Efforts

After passage of the VAWA and VAWA-related criminal provisions, and the 1996 amendments to these provisions, the Department asked each United States Attorney's Office (USAO) to designate a Point of Contact (POC) for the prosecution of the federal domestic violence laws. The Department then sponsored a conference for the newly designated POCs in Washington D.C. in January 1997. The Attorney General, Donna Bucella, Director of the Executive Office for U.S. Attorneys at the time (now United States Attorney for the Middle District of Florida), and I welcomed the participants and confirmed the Department's commitment to prosecution of federal domestic violence and stalking cases. This conference educated the POCs on the statutory elements of the new offenses, provided case examples of successful prosecutions, discussed application of the sentencing guidelines to these cases, and introduced the POCs to the dynamics of domestic violence and the cycle of violence. The POCs were also trained on the importance of victim safety and the role played by orders of protection in providing victim safety. Importantly, the conference emphasized the need for building relationships with state, local, and tribal counterparts for the referral and cooperative prosecution of appropriate cases.

To encourage this partnership, to reaffirm the Department's commitment to VAWA prosecutions, and to discuss developing issues, the Department sponsored follow-up VAWA regional teleconferences in June, July, and August of 1998. These teleconferences took advantage of the recently installed technology in each USAO that allowed for multiple site teleconferencing. The USAOs were divided into eight regions for eight separate teleconferences. Gathered at each USAO during the teleconferences were the designated federal "team" members—the POC, the Victim-Witness Coordinator, the Law Enforcement Coordinating Committee ("LECC") Coordinator, and representatives from the Bureau of Alcohol, Tobacco, and Firearms (ATF) and the Federal Bureau of Investigation (FBI). The teleconference agenda included a speech from me on the importance of VAWA implementation and the protection of domestic violence victims; showcases of successful prosecution efforts and community outreach; discussions of particular tribal issues presented by VAWA implementation; and discussions of emerging and recurring legislative, evidentiary, legal and victim related issues. This format not only allowed for the involvement of the entire federal team but also afforded a less expensive, less time-consuming alternative to a traditional conference. Critical to any implementation effort is the involvement of the FBI and the ATF, the two federal law enforcement agencies responsible for the investigation of these cases. This teleconference format allowed for their involvement and participation. The teleconferences were a resounding success.

The Office for Victims of Crime ("OVC") has also assisted in the Department's implementation efforts. OVC funded a position of VAWA Specialist assigned to the Executive Office for United States Attorneys (EOUSA) to focus exclusively on training and technical assistance to the POCs, Victim-Witness Coordinators, and LECC Coordinators on VAWA and victim issues arising from the prosecution of federal domestic violence cases. The position, originally funded for one year, was extended for a second year. In November 1998, EOUSA created a permanent VAWA specialist position, in full recognition of the importance of these issues and the USAOs' need for training and technical assistance. The VAWA Specialist participated in the POC Conference, assisted in the presentation of the regional teleconferences, and continues to update USAOs on new developments.

Efforts by USAOs to build partnerships with state, local, and tribal counterparts also continue. These efforts include sponsorship of and participation in local and regional conferences addressing domestic violence prosecution, protection of domestic violence victims, discussion of the dynamics of domestic violence and basic training on the federal domestic violence laws. The audiences for these training conferences and workshops have included state, local, B.I.A., and tribal law enforcement, prosecutors and judges, victim advocates, and federal law enforcement.

Appellate Decisions

As with any new statutory scheme, the federal domestic violence and stalking laws have been subject to constitutional challenges. The federal courts of appeal have uniformly upheld the constitutionality of the federal domestic violence statutes. Key appellate decisions to date include:

- *United States v. Romines*, 1998 WL 110152 (4th Cir. Mar. 13, 1998). The Fourth Circuit affirmed a conviction under 18 U.S.C. Section 2262 for interstate violation of a protection order in a case where the defendant harmed his wife in Tennessee, forced her to travel to Virginia and was caught in Vir-

ginia. The court did not require evidence that violence occurred in Virginia or that the defendant intended to cause harm in Virginia.

- *United States v. Page*, 167 F.3d 325 (6th Cir. 1999) (en banc). The Sixth Circuit sitting *en banc* upheld the constitutionality of 18 U.S.C. Section 2261 and held that the evidence introduced at trial was sufficient to satisfy the statute. Specifically, the proof at trial established that the defendant brutally beat his live-in girlfriend in his apartment in Columbus, Ohio, and that he then drove her to Washington, Pennsylvania, where he abandoned her at a local hospital. The trial evidence also showed that the victim's injuries worsened during the trip to Pennsylvania.

The Sixth Circuit panel initially concluded that Section 2261(a)(2) "does not criminalize domestic violence that occurs prior to interstate travel." It interpreted Section 2261(a)(2) narrowly and limited the statute's scope to cover only intentional violent conduct occurring during and after interstate travel. The court rejected the Government's argument that Section 2261(a)(2) prohibits the entire course of violent acts that caused both the victim's injuries and her forced interstate travel.

The Sixth Circuit, sitting *en banc*, reversed the panel decision and reinstated the conviction. The court held that the beating in Ohio in the defendant's condominium "clearly occurred 'in the course' of Page forcibly 'causing' the victim to 'cross a state line.'" The court added that accepting the defendant's "crabbed interpretation would prevent the statute from reaching precisely the type of situation in which a domestic violence statute would be needed . . ."

- *United States v. Hayes*, 135 F.3d 133 (2nd Cir. 1998). The Second Circuit affirmed the defendant's conviction under Section 2262 and also affirmed a restitution award of \$76,768. The court held that 18 U.S.C. Section 2264 mandates imposition of a restitution award for "the full amount of the victim's losses as determined by the Court . . ." This award is not limited to losses stemming from the offense of conviction but also covers medical expenses, housing, lost income and expenses for secure schooling even when those losses were incurred prior to the criminal violation.
- *United States v. Bostic*, 168 F.3d 718 (4th Cir. 1999). The Fourth Circuit affirmed the defendant's conviction under Section 922 (g)(8) and rejected Due Process, Commerce Clause, and Tenth Amendment challenges to the statute.
- *United States v. Smith*, 171 F.3d 617 (8th Cir. 1999). The Eighth Circuit rejected constitutional vagueness and equal protection challenges to a conviction under Section 922(g)(9). The court affirmed the conviction and found that a simple assault conviction qualified as a prohibiting domestic violence misdemeanor.

Future Efforts

Increased VAWA implementation requires the sustained commitment of the Department to support aggressive prosecution of the appropriate cases that fall within the statutes and to support the community outreach necessary to draw referral of these cases. While recognizing that outreach extends beyond the traditional role of United States Attorneys Offices, we support these efforts to ensure a federal presence in the domestic violence community. Referrals of federal cases have come from police officers, district attorneys, shelter workers, victim advocates and others that come into contact with domestic violence victims. Continued training and outreach to this audience will enhance our prosecution efforts. This outreach will continue to include representatives of FBI and ATF. The readiness of federal law enforcement to respond to case referrals and to demonstrate their commitment to investigating and prosecuting domestic violence cases is critical to our efforts.

The Violence Against Women Office, the Executive Office for United States Attorneys and its VAWA Specialist, and the rest of the Department will continue to address VAWA issues raised on a daily basis and support United States Attorneys Offices in their education and training efforts in their jurisdictions and in prosecution of appropriate cases. Periodic updates will continue to be sent to United States Attorneys Offices on new developments.

Prosecutive efforts have revealed legislative barriers to prosecution. These concerns are addressed, in part, in the technical amendments to the federal criminal laws that are proposed in the Senate VAWA II Bill. Passage of these amendments will facilitate prosecution of domestic violence and stalking crimes under federal law.

Working to Make Nationwide Enforcement of Protection Orders a Reality

VAWA also requires states and tribes to honor protection orders issued by other jurisdictions if certain statutory requirements are met. The Department has adopted a strategy for implementing this full faith and credit provision that focuses on providing training, technical assistance, and grants to law enforcement, prosecutors, courts and victim advocates. We have funded the Full Faith and Credit Training and Technical Assistance Project of the Pennsylvania Coalition Against Domestic Violence, which provides nationwide assistance and serves as a clearinghouse on a wide range of issues related to interstate and intertribal enforcement of protection orders. The Project sponsored a national training conference in October 1997 that has spawned several regional conferences. Tribes in Alaska, the southwest and the midwest are also working to strengthen protection order enforcement between different tribes as well as between tribes and the states.

In addition, the Department has worked to develop, produce and disseminate a series of brochures for the different players in the criminal justice system. Last October, we unveiled a full faith and credit brochure for law enforcement that was developed with the International Association of the Chiefs of Police. A benchcard for judges and a brochure for advocates were recently released, and similar booklets for advocates, survivors, and prosecutors are in development. Moreover, to help confirm the existence and terms of protection orders issued by other jurisdictions, the FBI has developed the National Crime Information Center protection order file, a national registry that came on line in May 1997. As of June 22, 1999, 25 states are participating—either by linking their existing state system to the national registry or by entering protective order information directly into it. The Department is also assisting an ever-increasing number of states in developing their own protection order registries. To date, 35 states and the District of Columbia have received funds under the BJS National Criminal History Improvement (NCHIP) to establish and interface state protection order systems with the FBI's national system.

Battered Immigrant Women

VAWA enables the battered spouses and children of U.S. citizens and legal permanent residents to self-petition for permanent residency, without depending on the help of their abusers. These provisions were enacted to respond to the plight of many battered immigrants who found themselves trapped between abuse and deportation because their abusers refused to file immigration papers on their behalf. No one should have to choose between deportation and abuse. Since the enactment of VAWA, the Immigration and Naturalization Service and the Violence Against Women Office have published regulations to implement the self-petitioning provisions of the VAWA. In June 1997, INS centralized the filing of all VAWA self-petitions in the Vermont Service Center, where a specially-trained unit adjudicates the applications. Through August 1999, 4,666 immigrant victims of abuse have been approved for lawful status under these important provisions of the VAWA.

The Department strongly supports restoring VAWA relief for immigrant victims of domestic violence with approved VAWA petitions so that they are able to remain in the United States while awaiting issuance of their permanent residency documents. These victims have already demonstrated that it would cause them or their children extreme hardship if they returned home. They typically have no protection against domestic violence in their home countries, cannot access support services, and cannot enforce protection orders, custody orders, or child support awards. Forcing many victims with approved petitions to return to their home countries and to obtain an immigrant visa—a wait that could take four and a half years or more—severely undermines VAWA's battered immigrant provisions.

V. CIVIL RIGHTS REMEDY

For the first time, VAWA made it possible for victims of crimes of violence motivated by gender to sue for violations of their federal civil rights. While the statute created a private right of action, the United States has intervened in suits brought under the VAWA civil rights provision in which the constitutionality of the provision has been challenged. Earlier this year, the U.S. Court of Appeals for the Fourth Circuit struck down the VAWA civil rights provision as beyond Congress's authority to enact legislation under both the Commerce Clause and the Fourteenth Amendment to the U.S. Constitution. On September 28th, the U.S. Supreme Court granted the United States' petition for certiorari in this case.

VI. CONCLUSION

In closing, VAWA has been a tremendous success. Because of VAWA, communities are now working together to end violence against women. In these last five years,

we have sent a strong message that violence against women is unacceptable in our society. We have built the infrastructure to change this nation's response to domestic violence, sexual assault, and stalking. But there is much more to do. Without the reauthorization of the VAWA grant programs, this infrastructure will crumble. The Department looks forward to working with this Committee to ensure that does not happen and to build on the great progress we have made since the enactment of VAWA.

This concludes my testimony. I would be happy to answer any questions from members of the Committee.

Mr. MCCOLLUM. I want to especially thank Ms. Campbell this morning because you cancelled some travel plans to be with us. You agreed to be on a panel, which, of course, as an administration witness, you could have chosen to be a sole witness, and we appreciate your cooperation. You have been very generous with us this morning.

Ms. CAMPBELL. Thank you. I am happy you are having this hearing. We appreciate that.

Mr. MCCOLLUM. You are quite welcome.

Mr. MCCOLLUM. Ms. Fulcher, we are ready to hear your testimony. Again, you may summarize, and we will put your full testimony in the record.

**STATEMENT OF JULEY FULCHER PUBLIC POLICY DIRECTOR,
NATIONAL COALITION AGAINST DOMESTIC VIOLENCE,
WASHINGTON, DC**

Ms. FULCHER. Certainly. Good morning.

The National Coalition Against Domestic Violence represents a network of approximately 2,000 battered women shelters and programs as well as individual battered women throughout the Nation. I am here today to urge Congress to reauthorize the Violence Against Women Act this year by passing H.R. 1248.

The Violence Against Women Act of 1994, or VAWA, was historic because it recognized that we as a Nation have a responsibility to address all forms of violence against women. Among other things, VAWA bolstered prosecution of domestic violence, sexual assault and child abuse. It increased victim services and resources for law enforcement and created a national domestic violence hotline which handles approximately 9,000 calls per month. These programs have saved lives.

Having the support of Congress and the resources of the Federal Government has been a crucial component of the struggle in all of our communities to serve individuals victimized by domestic violence and sexual assault. Unfortunately, this age-old problem cannot be completely solved in a few years. In fact, efforts to reform our State and local systems have inspired more women to come forward, putting new strains on our services.

Considering that many of the programs in VAWA have either expired or will expire in the coming year, there is a pressing need to reauthorize VAWA now. H.R. 1248 reauthorizes existing programs and makes improvements to some of the programs to help them more effectively meet the needs of victims.

VAWA grants allow communities to use that funding to address their specific needs. For example, the Florida Coalition Against Domestic Violence was awarded VAWA funding to establish victim services in five of their rural counties where limited or no services

had previously existed. Using the Federal funds as seed money, they helped each county to create a domestic violence task force and community infrastructure to provide domestic and sexual violence services. The initial five pilot counties are now self-sustaining, and the Florida coalition is using VAWA funding to replicate these success in 11 additional communities.

Attached to my written testimony is a document detailing many other success stories like this one. I encourage you to review this document and take pride in the investment that Congress has made with VAWA. However, the struggle to end domestic and sexual violence is far from over. The violence continues every day and in every corner of our Nation. Tuesday, July 6th, 1999, midnight, a city in Minnesota, a man punches his 23-year-old girlfriend in the face and kicks her in the groin numerous times. She arrives at the hospital with vaginal bleeding and facial contusions. 8 a.m., rural Oklahoma, with their children watching, a husband holds a gun to his 30-year-old wife's head and threatens to kill her. 9:30 a.m., a small town in Florida, while a man is abusing his wife, he tells her that he has AIDS, and is going to give it to her. He then rapes her while the children are in the room crying and begging their father to stop hurting their mommy. 1 p.m., urban Pennsylvania, a boyfriend wakes up his 29-year-old girlfriend by beating her and dragging her around the floor. Early that afternoon, a city in New York, a man runs over his wife with his car. These are just a few examples of the violence experienced by women and their children on a randomly chosen day.

While we have made great strides in addressing this problem, there is obviously work yet to be done. Grants for battered women's shelters and services are imperative to saving lives. A woman and her children are in greatest danger immediately after she makes a decision to leave her batterer and seek safety. With the congressional investment in shelters and services over the past several years we have been able to dramatically increase the number of battered women and their children for whom we are able to provide a temporary safe haven and services to transition them to a life free from violence. However, shelters must still turn away victims in crisis due to lack of space, and many rural communities throughout the country have no safe shelter for these women.

H.R. 1248 reauthorizes and increases funding for battered women's shelters over the next 5 years. The reauthorization of these and other VAWA programs for another 5 years will allow Congress to continue the commitment to addressing domestic and sexual violence.

VAWA reauthorization is an investment in a society that may someday be free of violence against women and children. The return on this investment can be measured, however, not only in lives saved and suffering ended, but also in financial terms. The average annual cost of medical care for abused women and children is more than \$1,500 per person. Battered women are often forced to miss days of work and sometimes lose their jobs because of the violence perpetrated against them. And more than 50 percent of all homeless women and children are fleeing domestic violence. We cannot afford not to address this problem at its root. The price tag to reauthorize VAWA to continue and expand the core services ad-

dressing violence against women in our Nation is a bargain compared to allowing violence against women to go unchecked.

We at the National Coalition Against Domestic Violence recognize and applaud the initiative of Congress in passing the Violence Against Women Act. We urge you now to take this opportunity to continue to make a difference in the lives of millions of women throughout the Nation. We call on every Member of Congress to demonstrate their commitment to ending violence against women by supporting this vital legislation. Thank you.

Mr. CHABOT. [Presiding.] Thank you very much.

[The prepared statement of Ms. Fulcher follows:]

PREPARED STATEMENT OF JULEY FULCHER, PUBLIC POLICY DIRECTOR, NATIONAL COALITION AGAINST DOMESTIC VIOLENCE, WASHINGTON, DC

The National Coalition Against Domestic Violence, which represents a network of approximately 2,000 battered women's shelters and community-based programs, as well as individual battered and formerly battered women throughout the nation, submits this testimony in support of H.R. 1248—the VAWA Reauthorization bill.

The Violence Against Women Act of 1994 was historic, because it recognized that we, as a nation, have a responsibility to respond to domestic violence, sexual assault and all forms of violence against women. When VAWA was passed a few years ago, it was designed to improve services and programs available to battered women and to give them access to safety and justice. Among other things, it bolstered prosecution of domestic violence, sexual assault and child abuse, increased victim services, increased resources for law enforcement, and created a National Domestic Violence Hotline. These programs have saved lives and taken a great forward stride in the quest to end violence against women in our nation.

Having the support of Congress and the resources of the federal government has been a crucial component of the struggle in all of our communities to serve women and children victimized by domestic violence. In particular, the National Domestic Violence Hotline and the increase in funding for local shelters and programs has been critical for battered women. Unfortunately, this age-old problem cannot be completely solved in a few years. In fact, efforts to reform our state and local systems have inspired more women to come forward, putting new strains on services. Considering that many of the programs in VAWA have either expired or will expire in the coming year, there is a pressing need to reauthorize VAWA. H.R. 1248 reauthorizes existing programs under VAWA. It also makes changes to some of the programs to help them run more effectively and introduces additional provisions to meet the present day need of domestic violence victims.

VAWA is Making a Difference in the Lives of Our Families

Grants distributed through the Violence Against Women Act are allowing communities to address their specific needs. For example, the Florida Coalition Against Domestic Violence (FCADV) was awarded VAWA funding to create a statewide rural initiative for the establishment of victims services in five rural counties, where limited or no services had previously existed. The initial three years of the project focused on establishing a community infrastructure to ensure long-term financial sustainability of direct service provisions. FCADV developed a community-organizing model that focused on creating coordinated community support. Successful utilization of the model enabled each county to create a domestic violence task force, increase public awareness, secure private funding, establish a rural outreach office and provide domestic and sexual violence outreach services. During 1997-98, FCADV received VAWA funding to replicate these successes in eleven additional communities. Thirteen rural outreach offices, serving over 3,000 victims and fourteen domestic and sexual violence task forces that serve nineteen counties, were established as a direct result of the FCADV statewide rural initiative. As of December 31, 1998, the initial five pilot counties were removed from VAWA funding, as they were able to secure private funding through community resources. The goal of the rural initiative is to utilize VAWA funding as seed money to establish rural outreach services and create the community infrastructure necessary to financially sustain long term direct service provisions.

VAWA funding is also being used effectively in Bensalem, Pennsylvania. Recently awarded funds will allow the Bensalem Police Department to create a coordinated response to domestic violence in collaboration with victims advocates including A Woman's Place, National Organization for Victim Assistance, Libertae, and Betz-

Dearborn. Funds will support the continuation of a computer program that compiles domestic violence-related arrests to include offender, victim, and arresting officer information, as well as case disposition. The grant will also allow the police department to employ a detective and domestic violence coordinator, and implement a pilot domestic response team. They will also provide community-based crisis shelter, child care, and transportation to victims to assure support for the victim in obtaining Protection From Abuse Orders and attend preliminary hearings and trials. Grant funds will allow participants to establish a protocol for the use of temporary crisis housing and transportation for women and children. In addition, the Bensalem Police Department will provide training and education for business and community groups about domestic violence in the work place.

One last example of how VAWA funding has made a difference comes from Virginia. After it noticed a sharp increase in the number of reported domestic violence cases, the Virginia Beach Police Department obtained a STOP Grant to hire two Domestic Violence Investigators to assist the Domestic Violence Unit. The Investigators build on the initial response of first responding patrol officers by applying state-of-the-art investigative techniques. Investigators work closely with local community-based victim service programs and the Commonwealth Attorney's Office. Since coming to the Unit in 1997, the Investigators have trained over 250 police officers regarding proper response to domestic violence cases. They have also assisted with over 900 cases.

All of these examples are included in the attached document entitled *Success Stories from the Frontlines: How VAWA 1994 Funding Has Changed the Face of Violence Against Women and Their Families Nationwide*. This document, organized by state, represents a sampling of the innovative programs implemented or expanded using VAWA funds throughout the country. I encourage all members of Congress to study this document and take pride in the investment that Congress made with VAWA. Also attached is a publication entitled *WEight Days: A Snapshot of Violence Against Women and Girls in America*. This document compiles a sampling of crisis calls collected during one week in July, 1999 from more than 70 shelters, hotlines and rape crisis centers throughout the country. This document is a testament not only to the violence still being suffered by women in every corner of our nation, but also to the people working on the front lines to respond to those crises on a daily basis and struggling to find funding to keep their doors open.

Battered Women and Their Children Still Struggle to Find Safety

Nearly one in every three adult women experiences at least one physical assault by a partner during adulthood.¹ According to the U.S. Department of Justice, young women between the ages of 16 and 24 experience the highest rates of violence by current or former intimate partners.²

Indeed, forty percent of teenage girls between the ages of 14 and 17 report knowing someone their age who has been hit or beaten by a boyfriend.³ Translated into actual numbers through the National Crime Victimization Survey data from the Department of Justice (a conservative estimate) between 1992 and 1996, women and girls over 12 experienced, on average, 960,000 incidents of assault, rape and murder at the hands of a current or former spouse or intimate partner annually. Among all female murder victims annually, approximately 30 percent are slain by husbands or boyfriends.⁴ Only three percent of the male victims were known to have been slain by wives or girlfriends.⁵ Violence continues in the lives of women and children in our nation at an unacceptable rate. While we have made great strides in addressing the problem, there is work yet to be done.

The Reauthorization of VAWA (H.R. 1248) is Critical to the Lives of Battered Women and Their Children

VAWA programs are making a difference in women's lives. These programs must be continued in order to reach our goal of ensuring the safety of all women and children. The VAWA Reauthorization Bill (H.R. 1248) continues Congress' 1994 commitment to end violence in the lives of women and their children. By evaluating the successes of VAWA, it improves programs, based on what we have learned in the

¹ American Psychological Association, *Violence and the Family: Report of the American Psychological Association Presidential Task Force on Violence and the Family* 10 (1996).

² U.S. Department of Justice (1998). *Violence by Intimates*, NCJ-167237, March 1998. Washington D.C. Bureau of Justice Statistics

³ Children Now/Kaiser Permanente poll, December 1995.

⁴ Lawrence A. Greenfeld, et al, *Violence By Intimates: Analysis of Data on Crimes By Current or Former Spouses, Boyfriends and Girlfriends* 3 (Bureau of Justice Statistics, 1998).

⁵ Federal Bureau of Investigation, *Crime in the United States 1995: Uniform Crime Reports*.

past few years about the changing needs of battered women and services. Here are some highlights of the pivotal programs that we must reauthorize.

Law Enforcement and Prosecution Grants to Combat Violence Against Women, commonly referred to as STOP grants, have been instrumental in providing states the tools that they need to address violence against women in their communities. This is a population based formula grant that brings service providers, law enforcement, prosecution and other advocates together to create a system which works for their communities to ensure that no battered women fall through the cracks. It allows those working on the front lines to combine their efforts to make a difference. H.R. 1248 reauthorizes and amends STOP grants to increase funds and to ensure that domestic violence and sexual assault advocates, as well as state courts, are involved in the collaborative planning and implementation of programs. In order to respond to the continuing needs of the states and provide the most effective system responses to victims, the bill refines the formula for distribution of funds in the states by increasing the investment in victim services and adding an investment in state courts (i.e., 35% to victim services, 20% to prosecution, 20% to law enforcement, 10% to state courts, and 15% discretionary with language to ensure that there will be no harm to existing programs). It is critical to reauthorize STOP grants, with these improvements, for another five years in order give states the means to provide safety and justice.

Grants for battered women's shelters and services are imperative to saving lives. A battered woman is often caught in a catch-22." To stay in her own home often means to endure vicious beatings and controlling abuse, and to live in fear of the day when her batterer may finally kill her. However, a woman and her children are in greatest danger immediately after she makes a decision to leave her batterer. While some battered women are lucky enough to have family and friends to rely on during that time of crisis, many women have no alternative but to seek refuge at a battered women's shelter. With the Congressional investment in shelters and services over the past several years, we have been able to dramatically increase the number of battered women and their children for whom we are able to provide a temporary safe haven and services to transition them to a life free of violence. However, shelters must still turn away victims in crisis due to lack of space, and many rural communities throughout the country have no safe shelter for these women. H.R. 1248 amends the Family Violence Prevention and Services Act to authorize \$1 billion to battered women's shelters over the next five years, including additional oversight and review and new proposals for training and technical assistance.

The creation of the National Domestic Violence Hotline by Congress in 1994 has provided a critical tool in helping battered women. Housed in Texas, this national toll-free Hotline has seen growing numbers of victims of domestic violence coming forward to make the first call. Currently, the Hotline averages 9,000 calls per month in 139 languages and they have answered more than 370,000 calls for help in the four years of their existence. A sophisticated system allows the Hotline operator to patch the caller in to the service provider located in the area nearest to the caller. This unique system makes the Hotline a decisive resource for battered women. It is important to maintain this national resource and to expand its services to address victims of rape and sexual assault. H.R. 1248 reauthorizes funding for the National Domestic Violence Hotline for another five years, including additional oversight and review prior to reauthorization.

Education and training for judges and court personnel is an essential element to effective administration of justice in domestic violence cases. In order to provide adequate protections to battered women and their children, the court system must understand the nature of domestic violence and the impact that it can have on all members of the family. Research shows that between 50 and 70% of men who abuse their female partners also abuse their children.⁶ We also know that children who witness violence are at a high risk of anxiety and depression, and exhibit more aggressive, antisocial, inhibited and fearful behaviors.⁷ According to one study, 5% of abusive fathers threaten during visitation to kill the mother, 34% threaten to kid-

⁶ See, e.g., Lee H. Bowker, Michelle Arbitell & Richard McFerron, "On the Relationship Between Wife Beating and Child Abuse," in Kersti Yllo & Michele Bograd, eds., *Feminist Perspectives on Wife Abuse* 158, 162 (1988); M.A. Strauss and R.J. Gelles, *Physical Violence in American Families* (1990).

⁷ Einat Peled, Peter G. Jaffe and Jeffrey L. Edelson, *Ending the Cycle of Violence: Community Responses to Battered Women* 4-5 (1995); Mary Kenning, Antia Merchant and Alan Thompkins, "Research on the Effects of Witnessing Parental Battering: Clinical and Legal Policy Responses" 238-39, in *Woman Battering: Policy Responses* 237 (Michael Steinmen, ed., 1991).

nap their children, and 25% threaten to hurt their children.⁸ Finally, according to a 1996 report by the American Psychological Association (APA), custody and visitation disputes are more frequent when there is a history of domestic violence. Further, fathers who batter mothers are twice as likely to seek sole custody of their children⁹ and they may misuse the legal system as a forum for continuing abuse through harassing and retaliatory legal actions. This is information that needs to be available to judges and others in the judicial system who play such an instrumental role in helping families to find safety. H.R. 1248 reauthorizes funding for federal and state judicial training on violence against women and adds a training component regarding domestic violence and child abuse in custody determinations.

The grants to encourage arrest policies created under the Violence Against Women Act have provided an essential tool to police departments throughout the country in the struggle to end violence against women. H.R. 1248 reauthorizes funding for implementation of pro-arrest policies in domestic violence cases; coordinates computer tracking of cases to ensure communication among police, prosecution and courts; and strengthens legal advocacy programs for victims.

Grants designed to address rural domestic violence and child abuse enforcement under VAWA have already made a difference in hundreds of communities who previously did not have the infrastructure needed to address domestic violence and child abuse. These grants have allowed communities to develop that infrastructure and finally give those suffering victims of violence a way out (see example above of the innovative work that has been done in Florida rural communities). But many rural communities throughout the country are still crying out for help. H.R. 1248 reauthorizes funding for the establishment of cooperative efforts among law enforcement, prosecutors and victim advocacy groups to provide investigation, prosecution, counseling, treatment, and education with respect to domestic violence and child abuse in rural communities.

We would also like to highlight the need to address sexual assault through rape prevention education. One in six women has experienced an attempted or completed rape in her lifetime.¹⁰ According to a 1992 survey, 62 percent of all forcible rape cases occurred to victims who were under 17 years of age; 32 percent of victims of rape were between 11 and 17 years old; 29 percent of victims were younger than 11 years old.¹¹ And according to the U.S. Department of Education, there were an estimated 4,000 incidents of rape or other types of sexual assault in public schools across the country during the 1996-1997 school year.¹² In order to protect women and girls of all ages, we must continue to invest in prevention strategies to address sexual-assault and expand access to information. H.R. 1248 establishes a National Resource Center on Sexual Assault; reauthorizes and increases funds for rape prevention and education; helps states provide technical assistance, information dissemination, and educational programs; and allots money for the creation of tribal sexual assault coalitions to do advocacy work to protect women on tribal lands and in tribal communities.

The programs described above represent the cornerstones of the Violence Against Women Act which are in need of reauthorization. However, there are a number of other important pieces of the puzzle that are addressed by the Reauthorization Bill (H.R. 1248). It reauthorizes funding for national stalker and domestic violence reduction through the improvement of local, state and national crime databases for tracking stalking and domestic violence. It also reauthorizes funding for Victim/Witness Counselors in the prosecution of sex crimes and domestic violence under federal law, as well as funding for court-appointed Special Advocates for victims of child abuse. The bill reauthorizes funding for street-based outreach, education, treatment, counseling and referrals for runaway, homeless, and street youth who have been abused or are at risk of abuse and funding for specialized grants for coordinated community initiatives to address violence against women comprehensively. The reauthorization of VAWA for another five years through H.R. 1248 will allow Congress to continue this broad-based approach to addressing domestic vio-

⁸Joan Zorza, *Protecting the Children in Custody Disputes When One Parent Abuses the Other*, 29 CLEARINGHOUSE REV. 1113, 119 (1996).

⁹Report of the American Psychological Association Presidential-Task Force on Violence and the Family, *Violence and the Family* 40 (1996).

¹⁰National Institute of Justice, Centers for Disease Control and Prevention, *Prevalence, Incidence, and Consequences of Violence Against Women: Findings from the National Violence Against Women Survey* (November 1998).

¹¹National Victim Center. (1992). *Rape in America: A Report to the Nation*. Arlington, VA/Charleston, SC: National Victim Center

¹²U.S. Department of Education, *Violence and Discipline Problems in U.S. Public Schools: 1997-1997*

lence and sexual assault that has made such a difference in communities throughout our nation and in the lives of women.

The Cost of Failing to Address Violence Against Women

The VAWA Reauthorization Bill is an investment in a society that may someday be free of violence against women and children. The return on this investment, however, can be measured not only in the lives that we save and the suffering that we end, but it can also be measured in financial terms. In 1994, approximately 37% of women seeking injury-related treatment in hospital emergency rooms were there because of injuries inflicted by a current or former spouse or intimate partner.¹³ Moreover, the average annual cost of medical care for abused women, children and elderly persons is \$1,633 per person, with 2% of abused women requiring medical care costing \$5,345.63 per hospital stay.¹⁴ A recent survey found that over 50% of abused women lost at least three days of work monthly due to abuse,¹⁵ 24% of abused working women reported losing a job,¹⁶ and surveys show at least 60% of abused women report being late for work due to abuse.¹⁷ Of all homeless women and children, 50% are fleeing domestic violence.¹⁸ We cannot afford *NOT* to address this problem at its root. The price tag to reauthorize VAWA to continue and expand the core services addressing violence against women in our nation is a bargain compared to allowing violence against women to go unchecked.

Conclusion

Eighty-two percent of Americans say that they would do something to help reduce domestic violence if they knew what to do.¹⁹ It is in the hands of Congress now to take the next great stride in ending domestic violence and sexual assault in our nation by passing H.R. 1248. We at the National Coalition Against Domestic Violence recognize and applaud the initiative of Congress in passing the Violence Against Women Act of 1994. We urge you now to take this opportunity to continue to make a difference in the lives of millions of women throughout the nation. We call on every member to demonstrate their commitment to ending violence against women by supporting this vital new legislation.

Mr. CHABOT. We have now been joined by several other members of the committee, Mr. Conyers from Michigan, Mr. Meehan from Massachusetts, and Mr. Hutchinson from Arkansas. And Mr. Conyers has requested to make an opening statement out of order here, and we will ask unanimous consent for that to occur. Hearing no objection, we will defer to Mr. Conyers at this time.

Mr. CONYERS. Thank you, Mr. Acting Chairman. I merely want to put my statement in the record and congratulate our Department of Justice Director of Violence Against Women Office and also Ms. Fulcher herself. This is a long overdue activity. I have been a supporter since we started almost 5 years ago, and I think we are beginning to get the message here that this is an overdue problem

¹³ Michael Rand, *Violence-Related Injuries Treated in Hospital Emergency Room Departments* 5 (Bureau of Justice Statistics, 1997).

¹⁴ Louise Laurence & Roberta Spalter-Roth, *Measuring the Costs of Domestic Violence Against Women and the Cost-Effectiveness of Interventions: An Initial Assessment and Proposals for Further Research*. Institute for Women's Policy Research, Victims Services, Inc. and the Domestic Violence Training Project, May 1996 (final report to the Rockefeller Foundation).

¹⁵ Connie Stanley, *Domestic Violence: An Occupational Impact Study* 17 (Tulsa, Oklahoma, July 27, 1992); Louise Laurence & Roberta Spalter-Roth, *Measuring the Costs of Domestic Violence Against Women and the Cost Effectiveness of Interventions* 25 (IWPR, Victims' Services & the Domestic Violence Training Project, May 1996). Domestic Violence . . . (DV facts)

¹⁶ Louise Laurence & Roberta Spalter-Roth, *Measuring the Costs of Domestic Violence Against Women and the Cost-Effectiveness of Interventions: An Initial Assessment and Proposals for Further Research*. Institute for Women's Policy Research, Victims Services, Inc. and the Domestic Violence Training Project, May 1996 (final report to the Rockefeller Foundation).

¹⁷ Melanie Shepard & Ellen Pence, *The Effect of Battering on the Employment Status of Women*, 3 *Affilia* 55, 58 (1988); see also Laurence & Spalter-Roth at 25.

¹⁸ The Women and Housing Task Force, *Unlocking the Door III: A Call to Action, Battered Women*, September 1996 (citing Schneider, Elizabeth, *Legal Reform Efforts for Battered Women: Past, Present and Future* (prepared for the Ford Foundation, July 1990)).

¹⁹ National Resource Center on Domestic Violence, *Domestic Violence Awareness Project: October 1999*, citing Lieberman Research, Inc. *Domestic Violence Advertising Campaign Tracking Survey*. Wave II-November 1995. Prepared for: The Advertising Council and Family Prevention Fund.

in our society that has been neglected for far too long. And finally, we are stepping up to the plate, not only in this area, but in the stalking area as well.

So my congratulations to all of you and the supporters of this very important concept, and I am going to do all I can to make sure that we get the appropriations that are necessary to keep these programs going, and my sponsorship will continue and my support for the Violence Against Women Act will remain as strong as ever.

Thank you for allowing the interruption, Mr. Chairman.

Mr. CHABOT. Thank you, Mr. Conyers.

[The information referred to follows:]

PREPARED STATEMENT OF HON. JOHN CONYERS, JR., A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF MICHIGAN

I would like to congratulate the majority on finally scheduling a hearing on a problem that plagues nearly 1.5 million women each year domestic violence. Nearly 5 years ago, Congress passed the original Violence Against Women Act, also known as "VAWA".

The original legislation provided funding for battered women's shelters and rape crisis centers, for education and training for judges and court personnel, as well as a multitude of other programs. Authorized funding for many vital programs under VAWA ends this year, however; and funding for the remaining programs under VAWA has run out already, or will soon.

For example, VAWA '94 authorized funding *through fiscal year 1998* for grants to States, Indian tribes, and local governments to implement mandatory arrest or proarrest programs, improve the tracking of domestic violence cases, and strengthen legal services for victims of domestic violence. This program needs reauthorization *this year*.

Similarly, VAWA '94 authorized \$400,000 per year through fiscal year 2000 to create and run a National Domestic Violence Caller Hotline. Since the hotline opened on February 2, 1996, operators have assisted more than 250,000 callers. The demand for services has far exceeded Congressional expectations when the original funding amounts were put in place. An increase in authorization is necessary to maintain this important resource, and *reauthorization is needed by next year*.

These are just a few of the many programs that VAWA '94 has initiated, and we cannot let their funding run out. Two bills have been

introduced that would reauthorize the critical funding for VAWA's programs. H.R. 357, which I introduced in January, is a comprehensive approach to domestic violence and abuse that would reauthorize funding for VAWA's important programs, in addition to adding new initiatives to combat domestic violence. In addition, H.R. 1248 is a stand-alone bill that contains the same reauthorization priorities that are in H.R. 357.

H.R. 357 and H.R. 1248 reauthorize VAWA programs in 12 key areas:

1. law enforcement and prosecution grants to combat violence against women, including STOP grants to increase funds and to ensure that domestic violence and sexual assault advocates are involved in planning and implementation of programs;
2. the National Domestic Violence Hotline;
3. battered women's shelters and services, authorizing \$1 billion to battered women's shelters over the next five years;
4. increased grants for community initiatives;
5. education and training for judges and court personnel;
6. grants to encourage arrest policies, and to ensure communication among police, prosecution, and courts;
7. rural domestic violence and child abuse enforcement;
8. national stalker and domestic violence reduction;
9. federal victims' counselors, to assist in the prosecution of sex crimes and domestic violence under federal law;
10. education and prevention grants to reduce sexual abuse of runaway, homeless, and street youth;

11. victims of child abuse programs, to find court-appointed Special Advocates for victims of child abuse, training programs about child abuse for judicial personnel, and other methods to protect child witnesses and testimony; and
12. rape prevention education, establishing a National Resource Center on Sexual Assault.

This reauthorization package is essential to continuing the Congressional commitment to making our streets and homes safe for women and children. We cannot let time and money run out on this critical initiative.

Mr. CHABOT. And now Ms. Alexander.

**STATEMENT OF CAROLE J. ALEXANDER, EXECUTIVE
DIRECTOR, HOUSE OF RUTH, BALTIMORE, MD**

Ms. ALEXANDER. Thank you, Mr. Acting Chairman and members of the committee. I would like to begin by thanking my Congresswoman, Congresswoman Morella, for sponsoring this legislation, as well as you, Congressman Conyers. We are very grateful.

I come to you today from the front lines, I think it would be fair to say. I have submitted extensive written testimony, and I am not going to read that because I know our time is limited. And I think it is imperative that you hear what I see every day. We are all here with a collective goal, which is to urge you to support and continue the VAWA funding that was passed, enacted in 1994, and has literally changed the face of the landscape for battered women and for providers throughout this country.

The passage of the VAWA Act and the funding that has been derived from it has created a very, very different environment in small towns as well as in urban locations where people have been forced, and perhaps by the availability of funding in some ways, to begin to work together, people who have been antagonistic; for example, police and domestic violence programs, for example, various parole and probation versus prosecution. Shelters have not had an easy go of it with the criminal justice system, as well as getting the attention of programs—of professionals in other kinds of programs, with which—who we believe have the responsibility to help battered women. So we have seen a dramatic change in the environment, and we are beginning to see some fruits of our labor that I think are very, very important to share with you.

One example is a client that we worked with actually in the past month. We will call her today Jill Sampson; Jill, who was in her late thirties, and she has been married about 6 years. Her partner Steve was always abusive, was always controlling, and had threatened her before, but not until late August did he, in fact, come home, high on crack cocaine, and he tied her up. He held her hostage for 2 weeks—2 hours, I am sorry, and finally she was able to break free and she called the police.

The police responded. They arrested him. He was immediately released on bond, and she sought a protection order. She obtained an ex parte order, and about 2 weeks later he returned to the home in violation of the protection order. He said he just wanted to talk to her, just wanted to see their children. She let him in. He jerked out the phone cord. He tied her up again. He slashed her, 3-inch lacerations on her side and on her chest. He then beat her on the head with a rod. He nearly killed her. And he—the final coup de grace was to grab her by the hair of the head and to try to set her on fire.

In fact, she escaped, again. He did burn the house. She fled to her mother's. She grabbed her children, got them out, and she again called the police. He was again arrested, charged with multiple charges, and I am pleased to say that he is still in jail. However, she was hospitalized. She could not participate in her protection order hearing because of her hospitalization.

The House of Ruth legal clinic core project was really able to work with the police in this instance to get a postponement for her until she was able to go to court. They were also helpful in escorting her to court. And we provided her with legal representation to ensure that she had a full protection order. This is a VAWA-funded program. In addition, we have a legal services project that is also funded under Justice that is able to help her with her longer-term needs relative to custody, which will be coming up very, very shortly. So she has now representation that she never would have been able to have.

In addition, she is working with counselors at the House of Ruth for the emotional and psychological problems that she and her children have experienced. We have assisted her with safety planning in the event that he should be able to get out on less than \$20,000 bond that he would need at this point, and our shelter is available to her as well.

These programs have been seeded in—through not only the House of Ruth, but throughout this country with funding through the Violence Against Women Act. In addition, in this instance we have been able to take this project that I just described to you, this court project, and secure funding from Maryland Administrative Office of the Courts, and now the program is being replicated, the same project, in Montgomery County by the House of Ruth. So we are seeing opportunities to leverage the VAWA money that I think is very, very important.

I know I am running short on time. I want to say also and re-enforce the testimony of our other panelists that we have only begun this battle. In Baltimore City there is less than a 1 percent chance that you will ever spend a day in jail if you are convicted of a crime of domestic violence. There is 2 percent availability of an affordable housing for battered women. Prosecution is tough, and it is tougher to convince battered women that they should testify in these cases when they are terrified that if they do, that he will be immediately let out of jail, and she will be killed. Police response remains uneven. We have a long, long way to go.

And you have, and I think all of you should be very proud that you have, created the path, however, for us to begin to work in interdisciplinary teams, for us to begin to work collaboratively, for us to look at innovative and creative approaches. There are people in this movement that have spent 40 years in the trenches trying to end this crime against women. They have been unacknowledged, unrecognized, and this is the first glimmer of hope. You have given them creativity, you have given them energy, you have given them a belief that we can end violence against women. Please sustain what you have begun. Thank you for your time.

Mr. CHABOT. Thank you Ms. Alexander.

[The prepared statement of Alexander follows:]

PREPARED STATEMENT OF CAROLE J., ALEXANDER EXECUTIVE DIRECTOR, HOUSE OF RUTH, BALTIMORE, MD

Mr. Chairman and Members of the Committee, I am Carole Alexander and for the past 16 years I have served as executive director of the House Of Ruth in Baltimore, Maryland. The House Of Ruth is one of the nation's largest and most comprehensive domestic violence programs. Over the past twenty-two years we have offered shelter, legal representation, counseling, and advocacy to tens of thousands of victims of domestic violence and their families. Today, I am here to urge your swift passage of H.R. 1248, the "Violence Against Women Act of 1999". Reauthorization of the Violence Against Women Act will provide crucial resources to expand our mission to end violence against women. We are just beginning to see the fruits of newly established public/private partnerships. Multi-faceted, interdisciplinary approaches to violent crimes against women show promise of more effective prosecution of abusers, increased utilization of criminal and civil remedies, greater abuser accountability and reduction of recidivism. And, survivors have joined with thousands of domestic violence and sexual assault programs all over the United States, providing the leadership to break the silence.

Jill Samson (pseudonym) is one of those survivors. Her story may help you to understand the importance of continuing to fund VAWA. She met and began living with her partner Steve, over six years ago. They now have two toddlers, Julie and Stevie, Jr. While Steve had always been demanding, controlling, and possessive, his behavior rapidly escalated out of control when he began to use crack cocaine and drink heavily. There were numerous incidents of abuse culminating in Steve holding Jill hostage in their home in late August. After he cut her clothes from her body and threatened to kill her, she finally escaped and called the police. Steve, though charged with false imprisonment, was released on his own recognizance. Jill then sought and obtained civil relief and protection in Baltimore City District Court.

A few weeks later, but before her protection order hearing, Steve returned to the family home to retaliate. After telling Jill and the children that, "I just want to talk to you," he yanked the phone from the wall, pulled a knife and tied her up with the phone cord. He then slashed her in the neck and side leaving three-inch lacerations that required over 100 stitches to close. While again threatening to kill Jill, he began beating her with a steel rod. Oblivious to his children, who were crouching in the corner, he tried to set Jill's hair on fire; she broke free of him and fled the house with the children. The fire, intended to kill Jill, burned their house instead. In spite of her horrific injuries, Jill was able to flee to her mother's who sought an ambulance and the police. Steve is awaiting trial on multiple charges of assault, arson, and false imprisonment. Jill, hospitalized for treatment of her injuries, was unable to travel to court for the hearing. A House Of Ruth attorney, working together with a Baltimore City Police Officer, was able to obtain a postponement until Jill was able to leave the hospital and participate in the hearing.

With help from our legal counsel, Jill obtained a full civil protective order. This specially trained attorney provided Jill and her children with assistance in securing domestic violence counseling, a safety plan and advice and consultation regarding her role as a witness in her abuser's prosecution. Finally, Jill, profoundly concerned about the welfare of her children, has been referred to another House Of Ruth attorney who is providing representation to help her secure permanent custody of her children.

VAWA funding enabled Jill to obtain this help. Moreover, as is exemplified in this case, VAWA has helped forge and strengthen the critical tie between the criminal justice response and civil relief so crucial to the long-term safety of many battered women. A STOP grant generated the seed money for the House Of Ruth court-based office where Jill obtained representation in her protective order hearing. After the initial grant term, the Maryland Administrative Office of the Courts absorbed the first two court projects and is committed to providing on-going funding for their operation. Federal VAWA dollars are now being used to establish a new House Of Ruth court project in Montgomery County.

In addition, victims of domestic violence receive assistance through support from other federal programs. The Civil Legal Services grant awarded to the House Of Ruth last year will enable us to provide Jill with legal services in custody proceedings. Should Jill need shelter or transitional housing, our services and residential programs will be available to her. Our goal is to create a seamless continuum of House Of Ruth services combined with an integrated approach involving police, prosecutors, health professionals, community, corporate, union, school, and government leaders to take a stand against domestic violence.

Across the state and the nation, VAWA has provided the impetus and the energy to our colleagues who are crafting creative, innovative initiatives with a goal of

reaching battered women from all social, economic, and ethnic groups. Outreach projects targeted to provide comprehensive services to Native American, Hispanic, Asian, and migrant women are providing wrap-around legal, counseling, and shelter services. Providers are responding to domestic cases with the police; coordinating councils are bringing disparate and sometimes historically antagonistic groups to the table to talk and work together. Domestic violence counselors are in courtrooms and emergency rooms. The House Of Ruth and other providers are working to gain entrance to corporate board rooms and factory lunch rooms to educate and initiate programs to stop the violence against women.

Even with this strategic goal and so many accomplishments, our front-line legal and counseling staff report that too many cases are still falling through the cracks. Domestic crimes are difficult to prosecute. All too often victims fear for their lives if they call the police or testify during prosecution. And, with good cause. Less than one percent of abusers in Baltimore are given jail time; nearly three-fourths of men court-ordered to our batterer's program fail to complete with impunity. There is a two-percent availability of affordable housing in our community, mostly in neighborhoods awash in poverty. Major hospital emergency rooms continue to operate without protocols for screening victims, entire religious communities are stunningly silent when it comes to domestic violence. And our businesses and schools don't yet get it that domestic violence follows moms and children to their workplace and the halls of our schools.

Some say silence is batterers' best friend. I say it's attitudes and ignorance. Battered women, admonished for not leaving, shamed for being afraid, ridiculed and punished when they cannot protect themselves and their children from their abuser, are too often left to struggle for their safety, in isolation and despair. All of us participate in this collective and destructive reverie: the media, movies, advertisements, songs, magazines, public and religious leaders, sports heroes, teachers, judges, doctors, our bosses and our employees, our friends and our families. Such ignorance and attitudes are insidious, like racism, reinforced, and reinvented from generation to generation and from family to family. VAWA has taken the first giant steps using the carrot and the stick to change attitudes. A great deal remains to be done.

In addition to sustaining funding for victim service providers who stand between life and death for many battered women, inter-disciplinary teams must be nurtured, fed, watered and held accountable for undertaking work that makes a real difference in the lives of battered women and their families. To that end, accurate data and factual information is crucial in creating benchmarks and measuring progress. Our institutions have not wanted to count nor have they thought counting to be important, and ultimately have not dedicated the resources to create the technology. VAWA must encourage, insist and provide the resources to build the technology to do so. VAWA should encourage that this information be made public and publicized. VAWA resources are precious and all of us must be accountable. Process cannot continue to be our product.

VAWA could provide technical assistance and funding to states committed to undertaking fatality review of domestic violence cases. Informing practice and educating the public when additional resources are needed is the foundation for reform and growth.

VAWA could provide technical assistance and funding to support changing attitudes through public education and media campaigns targeted to various professional, socio-economic, and ethnic groups. We know that we are not homogenous as a people in respect to our needs, fears, cultural and social attitudes. We must dispel barriers and biases through understanding the attitudes and beliefs of people and groups from every walk of life.

Finally, the enormous creativity, energy, and commitment that has been generated through VAWA must be sustained, harnessed, and built upon. Thousands upon thousands of women and men have labored in the trenches, working to end violence against women for nearly four decades. In 1994, at last, VAWA renewed their hope and their spirit. At last, battered women have a shot at life and living. At last a tiny flame is burning. Don't let it die.

Mr. CHABOT. We have been joined by Ms. Jackson Lee of Texas.
Mr. Fagan.

**STATEMENT OF PATRICK FAGAN, THE HERITAGE
FOUNDATION, WASHINGTON, DC**

Mr. FAGAN. Thank you, Mr. Chairman. I will keep my remarks brief, and rather than even read from the full testimony, I will get right to the point.

My hat is off to all of the women involved in this work, which is very difficult and very needed. And it will continue to be needed in probably even greater numbers and even with greater monies in the future. However, I do want to bring in not a criticism of a word that is there, but a major criticism of the whole framing and of where the committee is heading, where the bill is heading, if left just as it is: We have put in place, and the vast majority of us even in this room are part of and architects of a culture of alienation and rejection that is deep within the family and deep between the sexes in America.

And this is a change that has all happened in our lifetime. The violence that we see that Ms. Alexander has just talked about is the tip of the iceberg that we are building. If you take in 1950 the rejection that is between the sexes, between men and women in this country, and it is the highest of any culture that I can think of in history. In 1950 in this country, for every 100 children born that year, 12 children entered a broken family. Deep within their family there was a rejection by Mom and Dad of each other. Four of the kids were born out of wedlock. Eight of them saw their parents divorce. 1993, the last year we have good, accurate data for, for every 100 children born, almost 60 felt that rejection deep within their family. This year, the best we know, only 40 percent of American children will reach age 18 with their married parents, living with their married parents in their first marriage.

So behind all those statistics is a simple fact: The men and women who come together most intimately to bring a new child in the world, in America the vast majority of those men and women cannot stand each other enough to stay together to raise the child. That is the broad picture. We have to do something about that culture if we are going to reduce this culture.

Now, one of the things, for instance—the data on this and the data on what is really happening in violence is very poor. We have got lots of small data. We have no good national data. For instance, the crime—the victim of abuse survey is good in telling you how you got there, but everyone involved in this work knows there is a huge amount of women who never come forward, who the House of Ruth never knows about, who the cops never know about, who the prosecutors never know about.

In the child abuse area we began to address that issue. We had three waves. The National Incidence Survey of Child Abuse and Neglect. The last year, if you look at page 2 of my testimony, you can see there the massive growth in violence—of abuse of young children—physical and sexual. This violence has increased by hundreds of percent within 15 years. Now, I guarantee you that those children who are still growing up are going to be the slashers that Mrs. Alexander just talked about. They are coming. So we have got to do a lot more than just address and fund the treatment. I am not saying don't fund the treatment. Fund it. And I guarantee you you are going to have to fund a lot more in the future. But this

committee and this Congress has got to address how to begin to lead this Nation out of this culture of alienation that we in our lifetimes have constructed.

Now, there are a lot of good things there. I don't think by any means the picture is hopeless. As a matter of fact, I think in the last decade we are gradually learning more and more of how to do that. Just 2 days ago I heard Millard Fuller, Jimmy Carter's great friend who started Habitat for Humanity. He was talking about the building of houses among the very poor and the effect of having a decent home has on a man and a woman. I asked him what is that. He said one of the things—and you could see the almost immediate connection, or at least I could with something like this—where when there is a decent home to go into, the kids, and the mother and the father, the shame is gone. They have got pride. They see hope.

We know now how to reduce the rates of divorce, and in one community they have reduced it by 50 percent. Now, if you take the divorce effect on the abuse, those who are divorced, there is a huge potential for abuse and things going wrong as a divorce or even as a separation—particularly as a separation takes place. We are seeing things.

What I think the committee must do, and what I strongly suggest one addition that should go with the bill: national incidence survey of domestic violence and abuse not just of the adults, because the kids are in the same family. And it is not just the men who are doing the abusing. Very young children are mainly abused by the mothers who are being abused. So we can't just segment this off. It is all of a weave and a woof. We need good picture, good data.

Are we getting worse? I would suggest the last national incidence survey cost \$3 million. There is expertise in that. To add in the men, the women, the families and the communities, I would think you would probably at least need to double it, and draw on that expertise. It can't be put with one department. HHS has got one level of expertise in that. DOJ is the other one on adults. They need to cooperate. I think that should be repeated. That should be an annual, or if not annual, a cyclical part of this report.

The second thing I think the committee ought to grapple with is is there even one community in this country, one small community, where the leaders of different ventures in the rebuilding of communities, the Habitat for Humanity, the Marriage Savers, the Bob Woodsons, these people, these entrepreneurs who are learning how to rebuild families and communities of care, can we find one community, can you find with your leadership one community to say, yes, we would like to rebuild and become a community of care with families who care for each other, where you could pull in those leaders and see if it could be done. Or do we remain hopeless and will you remain hopeless that on the next reauthorization, the only thing you can do is give more money.

So I say, do what you are going to do with the Violence Against Women Act. They need the funding. But do more or at least take a part of it and get those two parts of the picture, where we are coming from and where we are heading, and can we go somewhere else other than just into a community or into a culture of violence,

because a treatment and enforcement model alone is actually a co-dependent model in public that is only going to bring this country more and more violence unless it is also married to a deliberate strategy of rebuilding families and communities of care. Thank you.

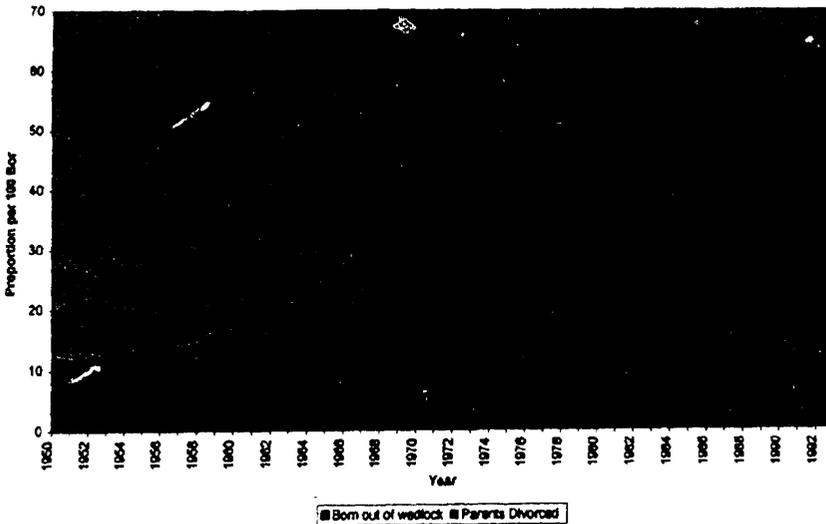
Mr. CHABOT. Thank you very much.

[The prepared statement of Mr. Fagan follows:]

PREPARED STATEMENT OF PATRICK FAGAN, THE HERITAGE FOUNDATION,
WASHINGTON, DC

Mr. Chairman, I thank you for the honor of being asked to testify on the reauthorization of the Violence Against Women Act. I must stress, however, that the views I express are entirely my own, and should not be construed as representing any official position of The Heritage Foundation. The work of those who help battered women and children is to be commended and to be supported, for it is difficult work and few feel competent to venture into the world of violence to rescue those caught within. While resources and money will be needed to treat abused women and children (and abused men) the real issue now confronting Congress is to discover how to turn off the violence and anger before it grows so deep and vicious. I must stress, however, that the views I express are entirely my own, and should not be construed as representing any official position of The Heritage Foundation.

In the United States we have constructed for ourselves a culture of rejection and alienation. To understand the rise in domestic violence it is necessary to see the bigger picture, the change in our national culture, the change in us as a people. Some cold hard facts are in order, and all of us, either directly or through our extended families are part of this picture.



This chart is the simple and sad story of the alienation between the sexes in America. Of all those men and women who come together most intimately to bring children into this nation, today the vast majority of them cannot stand each other enough to stay together to raise the child. In 1950 for every hundred children born 12 entered a broken family (4 through out of wedlock birth, 8 through divorce). By 1993 (our last year for accurate data from HHS) for every 100 born almost 60 entered a broken family: (33 out of wedlock and 25 from their parents divorcing). By 1995 data from the Federal Reserve Board Survey we know that only 40 percent of American children reach age 18 with their parents first marriage intact.

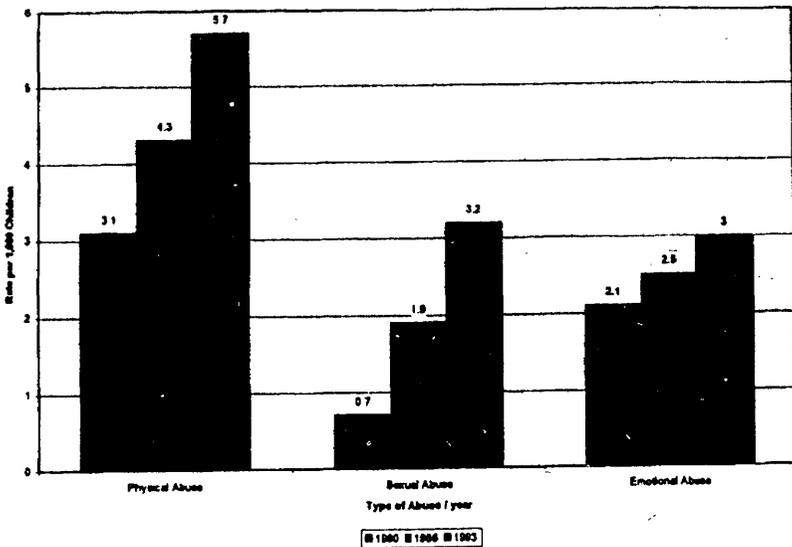
IS THIS ABUSE OF WOMEN THE RESULT OF SUCH A CULTURE?

Abuse is more likely when there is drug and alcohol abuse in the home, by either male or female. The men who abuse will more likely have been abused by the men in their mothers' lives as they grew up, and often by their mothers too. Likely also, IQ will be lower for both man and woman, not in all cases but as a trend, as we know from poverty research. In our increasingly complex world such lower IQ points to the growing urgency for caring tight knit communities. Without such communities such men and women will just grow in frustration, in anger or depression.

Neither the nation nor Congress has a clear picture of what the family and community patterns of violence are. We need to know accurately who is being abused, by whom, in what family circumstances, with what other impinging problems, with what income, family and religious worship backgrounds. Congress and the nation need a full picture if we are to begin to grasp the problem and look forward to reversing it. At present we all are flying blind.

Increase of Abuse by Type of Abuse 1980-1993

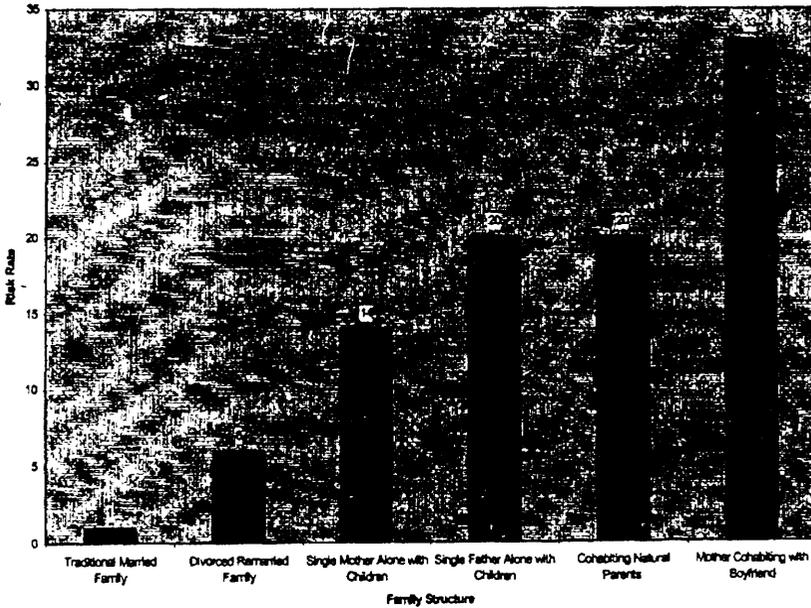
(Source HHS: HHS-7)



CONGRESS AND THE NATION IS FLYING BLIND.

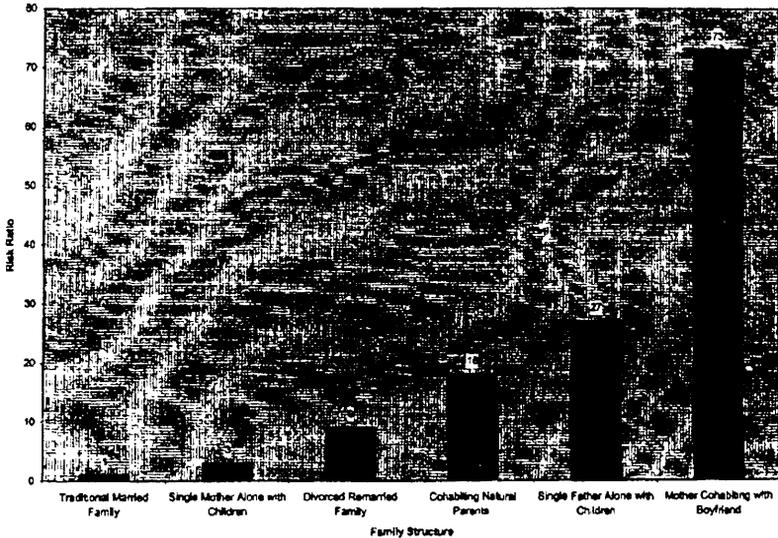
In the United States we have no data, despite the National Incidence Survey on Children, on the family structure within which the abuse of women takes place. However from Great Britain we know that the differentials by family structure are dramatic for serious child abuse, and astounding for fatal child abuse. (The Canadian data is even more dramatic).

Risk Rates Of Serious Abuse to the Child
 Source: Family Educ. Trust UK



In Great Britain the rates of abuse are lowest in the traditional married family, six times higher in the step family, fourteen times higher in the single mother family, twenty times higher in the single father family, twenty times higher also when both biological parents cohabit rather than marry, and thirty three times higher when the mother cohabits with a boyfriend. When measuring fatal abuse of children the rank order is almost the same but the differences get exaggerated. It is very dangerous for a child to be away from his father. Or putting it pointedly, the traditional family is the safest place for the child . . . by far.

Fatal Abuse Risk Ratios for Children
Source: Family Education Trust U.K.



If Congress is serious about coming to grips with domestic violence, if it is serious about educating itself and then the nation, it first needs to know what is going on. Else Congress can do nothing but react with the sad and helpless response of giving more money for more needed programs: on the one hand compelled by the brutality involved to demonstrate some heart, on the other hand feeling frustrated that the future continues to look so bleak.

Congress should take what would be a rather small percentage of the VAWA money and construct a National Incidence Survey of Domestic Abuse and Neglect if it is to get to the heart of this issue (and many others related to it).

The last National Incidence of Child Abuse and Neglect study cost about \$3 million to execute. Drawing on the experience gained in the three waves of that survey and expanding upon it to include the men, women and children involved and the extra developmental costs involved Congress should allocate \$6 million for the study.

The 106th Congress should require the Department of Health and Human Services to develop and execute such a survey and report back to the 107th Congress with a clear description of the family and community patterns where abuse is most likely.

SECONDLY CONGRESS NEEDS TO KNOW HOW TO REBUILD CARING COMMUNITIES AND FAMILIES.

Congress, for the good of the nation, needs to find out if it possible to turn communities around if it is possible to set changes in motion that will reduce violence, in the short and the long term?

If Congress stays focused only on the treatment and enforcement model, as is the case with WAVA, then the next reauthorization will be a frustrating and disheartening reauthorization because of the continued growth of communities of alienation, rejection and violence. A social policy that is composed only of a treatment and enforcement model is a prescription for despair. It is unbalanced because it does not point to where we should be heading to turn around our culture of violence. Left as it is the VAWA is a prescription for continued abuse, a continued cycle of intergenerational violence, could be described as a codependent relationship? between the helping organizations and programs and the problem they work to overcome. It is incomplete. However with a strategy to rebuild families and communities

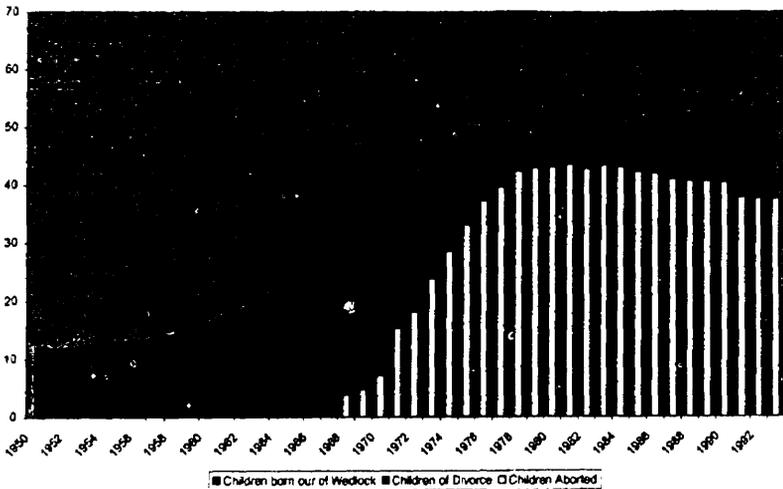
of care the picture would be very different. To get there Congress has some serious work to do.

What the nation needs is a picture of where it wants to go. With that and with a picture of where it is (from good survey descriptions) it will be possible to plan the road out of this nightmare. Without these two basics Congress is lost, rudderless and is confined to be a helpless repository of nothing but money.

Congress ought to take leadership in fostering the hope that America can reverse its culture of rejection, by encouraging the community entrepreneurs who are doing significant good in their own area to come together with a few small communities and see if they can revitalize a whole community by working together. Preventing domestic violence is about turning around families and communities, transforming them from hostile violent places to caring nurturing communities. Can it be done? Can we restore virginity among teenagers, restoration of courtship, young married adults among our poorer Americans, who marry before having children, who have decent basic housing, where one of the adults works in the marketplace, where school attendance and achievement of basic market skills is the norm, where most families regularly worship God.

There are people out there who are doing these different tasks: Habitat for Humanity, Best Friends, AA, Big Brothers and Big Sisters, Marriage Savers, Charles Ballard, Wade Horn, Bob Woodson, John Dilulio, all are doing parts of this. Governor Tommy Thompson has likely had a huge effect on domestic violence in Wisconsin by having a huge effect on the culture of poverty. He has learned how to harness disparate parts of the community to get serious and make a difference.

Total Rejection Ratio for Every 100 Children Born



Congress ought to encourage some communities to step forward, and even maybe bring a few such communities together with some of these entrepreneurs. Our children need it if they are not to be present victims and future victimizers.

The nation will not reduce crime and family violence by only treating the wounded. It will reduce these evils only by only by growing the good: by recreating communities and families of care. If our social policy strategy stays locked into its present treatment models, in crime, poverty, addiction, violence against women and children, and the myriad other funding streams, then so divided, both Congress and the nation will continue to be conquered by this culture of alienation, rejection and violence.

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Mr. CHABOT. I would like to thank all the panel members for very excellent and very informative testimony, all four of you. We really appreciate that this morning.

At this time, the members of the committee are permitted to ask questions for about 5 minutes. And we have a clock that will tell us when that time has stopped, and we hopefully will follow it.

I would also like to note that Mr. Rothman from New Jersey has also joined us. The questions that I have I would be happy to have them addressed by any member of the panel that would like to do so.

I practiced law for about 15 years before getting to Congress, and there I did a lot of divorce work, domestic-type cases and things, and domestic violence was a part of a great deal of those. One of the things that I noted was there were change in laws—I am from Ohio, and the laws changed in that when a police officer went out, if there was an incident of domestic violence that was alleged, an arrest had to take place. One of the parties was going to be taken into custody. Prior to that oftentimes they would go out and separate the parties, things looked like they are okay, the police would leave, and generally the man then would take off on the wife or the partner, whomever, and the beating would continue and even worse.

Would anyone like to comment on that revised policy of actually requiring an arrest and whether that has been particularly effective? I would be happy to hear from you.

Ms. Campbell.

Ms. CAMPBELL. I did family law as well back in those days when it really was stated police policy to just cool things down and hope for the best. We are seeing very early data on mandatory or proarrest laws that many States now have, and it looks like it is working; however, only if the rest of the system is working as well. For example, what good does a mandatory arrest law do if nobody is ever really prosecuted, or if the judge doesn't take the offense seriously and sentence appropriately, or if the person isn't kept on what I call keeping them on paper, on probation or parole, so that we can monitor them, because it seems that the one thing that does work with perpetrators is consequences, which they have never really experienced until recent years. To have consequences, you have to keep them on a short leash. The system has to work comprehensively.

I hope I can assure you that our grant money, our largest grant program and all the others, really require collaboration of the justice system, the criminal justice system, the civil justice system. Beyond that we spend a lot of time on technical assistance, encouraging communities to build those communities of care that Mr. Fagan referenced, because at the end of the day, the criminal justice system alone cannot stop domestic violence, sexual violence or stalking. It takes a much more comprehensive approach.

Mr. CHABOT. Thank you.

My next question has to do with the violence and the media and the increase what I think there has been over time in just what we as juveniles or youths see and then what we see as adults. I would argue that the violence has increased over time. Now, generally if one sees domestic violence on television, it is going to be in a bad light, and it is going to be obviously frowned upon or condemned, as it should be. So it is not that type of violence that I think somebody might mimic, but there is violence of—it may have to do with the crime taking place, or may not have anything to do with domestic violence. But I tend to think that there is a relationship between absorbing all that violence and then perhaps some people who may be susceptible to that, to then engaging in the home.

Would anyone like to comment on that particular observation?
Ms. Alexander.

Ms. ALEXANDER. Yes, I would like to comment. I think that many people say that silence is like a batterer's friend. I think what we are seeing are the attitudes, attitudes that are reflected in the media, that are reflected in on television, from sports heroes that absolutely pummel children and young adults with their attitudes about women, attitudes about violence against women. Watch MTV for 5 minutes, go talk to a kid in a high school. We have a teen violence program now in which we are working with middle school and young adolescents, and girls increasingly are beginning to think that it is very cool to be controlled by their boyfriend. She think it is cool to be possessed. They think that if he hits me on the arm, that means he really cares about me. And boys increasingly—that message is being enforced as well with boys.

Mr. CHABOT. Thank you. The red light has come on. Ms. Jackson Lee for 5 minutes of questions.

Ms. JACKSON LEE. Thank you, Mr. Chairman. Let me thank the Chairman and the Ranking Member for moving this hearing along for such an important piece of legislation. I have, as we hope all of us might be, not to the extent that we want this terrible tragedy to continue in our Nation's communities, but been involved in this issue particularly with one of the advocacy groups in my community, which is the Houston Area Womens' Center, which I have served as a member of the board and advisory committee member, and I have spent some time visiting the shelters we have or had to have as a result of the seige, I guess, if you will, of domestic violence on our community.

Ms. Ellen Cohen of that agency serves on the AG's task force on violence, and so I have tried to be kept apprised of where we are.

I do think, Mr. Fagan, you have raised a very unique but thoughtful inquiry and request as to where are we, what have we

accomplished, where are we in terms of either a decrease or increase. I would like to take up your offer on that in terms of that particular provision being added, along with my colleagues.

My question is, and I would like everyone to be able to answer, and it builds upon Mr. Fagan's point and the testimony of the other panelists—by the way, let me thank you for your presentation.

First of all, this is a community issue. I believe I saw a figure of \$100 million of lost business, wages, sick time, et cetera, that may be brought about through domestic violence. It is an epidemic. Some would call it an illness. Whatever we need to call it, I would say that it needs our fullest attention.

What is your suggestion, since Mr. Fagan talked about the societal ills that create this, in terms of the need for treatment of the abuser, the abused child, and those that this Nation has given access to mental health services? We have provided shelters to women. Do we have enough support services while they are in those shelters—as much as we thank our volunteers—to rebuild their lives? What should we do about that?

If I can get an answer from all of the panelists, I would appreciate it.

Ms. FULCHER. I guess the simple answer to “Are there enough services out there” is no, there are not. The shelters and the service providers that are out there are struggling to try to make sure they meet the needs of the people who come to their doors, but they have limited funding, they have limited ability to pay the people who work there to try to provide adequate services.

I think it is a good point to note that when someone is experiencing this kind of violence in their lives, it permeates every aspect of their life. We need to be thinking not just about how we deal with this through the criminal justice system, but we need to be thinking about how we deal with this through the health care system, dealing with it on a mental health level, dealing with it in our workplaces, dealing with it in our schools, making sure that we address the impact that this violence is having on the children of this family, both in terms of the violence they are experiencing, the violence they are witnessing, the violence they are learning and what is an acceptable means of communication within a family.

So we do need to do a broad-based approach where we try to address all of these pieces of the puzzle at once in order to make real differences in our communities.

Mr. FAGAN. One thing I would like to suggest that should be considered in rebuilding communities: Most women who are violated this way are more likely to be unsupported. They do not have great contacts with their families or with their friends. It is not true in all cases, but generally it is true.

In the rebuilding the communities of care, I think the natural institution around which it will happen is with the church or the mosque or the synagogue. That is where people, around which they will identify most intimately with those with whom they feel a lot in common. So without any one particular prescription or any particular program, (because there are many) the rebuilding of community I think will happen around the house of faith with which the person identifies, because that brings them into close contact with neighbors, who are particularly sometimes the very thing you

need, somebody to talk with about the abuse that maybe even is beginning to happen, before it gets really bad.

If they do not have anybody to talk with, they are isolated, and all the dangers of abuse are likely to increase.

Ms. JACKSON LEE. I would like an additional 30 seconds.

Mr. CHABOT. [Presiding.] Without objection.

Ms. JACKSON LEE. It might spill into more than 30 seconds.

Mr. CHABOT. There would be objection to that.

Ms. JACKSON LEE. I know that, Mr. Chairman.

Mr. Fagan, I happen to find a great deal of empathy and support for faith-based entities, but you are not saying that to the exclusion of mental health-based services, psychologists and others who may be collaboratively working with that concept?

Mr. FAGAN. I am all for the collaborative, though I will raise the real caution that all the data on the helping professions, and the higher-ranking the profession, the more likely this is, with psychiatry at the top, they are more antagonistic toward faith-based.

Psychiatry is the worst, psychology is not as bad, social work is better, and school counselors are the best of all. But for all of them, there is that antipathy. So within the professional communities there is not that inclination to build around what is the most intimate community.

I think it is to be encouraged, and I do think changes are taking place, but they have a long way to go.

Mr. CHABOT. Thank you.

Mr. Meehan?

Mr. MEEHAN. Thank you, Mr. Chairman. I thank the witnesses for their testimony here this morning. I am struck by Ms. Alexander's testimony on the details of what is happening on the front lines of the fight against violence toward women.

The year before I became a Member of Congress. I was the first assistant district attorney in Middlesex County, Massachusetts. Probably 8 months before I became a Member of Congress, I got a phone call from the State police. It was my responsibility to go out to any homicides in my county. I got a phone call to go. There had been a fire in a house and a possible homicide.

I got to the house, went through, worked with the investigators, and a woman and her child had died in the fire. We found out upon investigation, gathering evidence, that the woman had been stabbed, and we made an arrest. We found that she and her daughter were a victim of domestic violence.

We then got back to the office to begin to put the case together, and we heard from some of our people, victim witness advocates, who brought to our attention a police report that had been filed 10 months earlier. In this police report, this man had threatened the woman and her child with a knife, threatened to kill both of them, and after he killed both of them, to set the house on fire, 10 months prior.

Those of us who have been in the front lines know that that story is just one of but hundreds and thousands of stories like that where we do have the information that we need. There are warning signals, what we call red flags, continually in these cases, which is why the reauthorization of this act is so important and why much, much more funding needs to be provided.

We have in my district, in my hometown of Lowell, the Lowell Asian Outreach Advocacy Project, a program which provides interpreters and support services to the Khmer-speaking population in Lowell.

We now have interpreters for the deaf in trial courts, so victims are better able to be treated by the court system. In Lawrence, Massachusetts, we now have bilingual prosecutors, who are in a better position to work with victims, women who are victims. But we really have a long way to go. There are some States that have victim witness advocacy programs that are models, national models.

But I cannot imagine any way of dealing with this problem if we do not first assure that any time any woman anywhere in this country goes into a court, a courthouse, that she be assigned a victim witness advocate who is a professional, who understands her plight, who deals with many of the issues that Mr. Fagan has talked about; the problems of lack of support, the problem of lack of a job, inability to have finances, in many instances of women under the control of men.

We have so far to go. This is a reauthorization. There are some increases. At least in Massachusetts, many of the programs that sought funding, three times as many people were seeking funding than actually got funding. It seems to me we are only scratching the surface in this fight. It is a complex problem.

The court system cannot correct everything, but I will tell you, you change attitudes about things when the court system begins to deal with it. When a police department is required, if there is evidence to make an arrest, if there is evidence of abuse, or when we take judges who dismiss cases against women because they think there can be a cooling-off period, and hold those judges accountable, you begin to see changes; when you hold prosecutors accountable when they are not pursuing a case because of a reluctant victim, and that is one of the way victim witness advocates can be such a critical part of this whole process.

I was wondering if you could tell us, I think we all agree we need to reauthorize this program. The question is, where do we go from here? How do we provide the additional services?

From my viewpoint, we are only scratching the surface of what we need to do as a country, as a society, to deal with this problem. I wonder if you could comment.

Ms. CAMPBELL. You gave my speech, in large part. But your comments triggered a number of thoughts that I think are worthy of comment.

I must say, speaking for myself, that when I came here almost 5 years ago to take this job I was not so much aware of the incredible need to build infrastructure in the justice system.

One very quick example is that there is a provision in the VAWA requiring full faith and credit in protective orders, which is very critical for the safety of women and children. It is essential for safe passage from one place to another.

I should have known better, because in my own State of Iowa, which has 99 counties, we could not get protective orders enforced across county lines, not to mention State lines. So we have had to dedicate a lot of dollars and a lot of energy to building protective

order registries. Now 35 States have State-wide protective order registries, and the Federal protection order filing, CIC, went online in May 1997.

It is very hard to articulate how much start-up resources we have had to dedicate for all of this. That is not really or has not really been our central focus. We have been acutely aware that we have to get into communities, we have to get victim advocates everywhere.

We were very concerned that the high visibility given these issues would vastly increase the demand for the services. I think I heard every one of these people say that indeed it did.

Mr. MEEHAN. With your indulgence, Mr. Chairman, when you get a police report 10 months later, where the defendant has described the murder that they are going to commit, and then you look at the report and find that the case was dismissed because the victim did not want to go further, it crystallizes the issue of providing resources and support to victims as soon as they walk through that door, so that they recognize the fact that it happens all the time where defendants and murderers predict their crime years or months in advance.

We have just got to get women the resources and the support they need as soon as they come in that door.

Mr. CHABOT. Thank you.

Mr. Rothman for 5 minutes.

Mr. ROTHMAN. Thank you, Mr. Chairman. I apologize for being a few minutes late. If you covered this earlier, just let me know.

How has the level of crime against women and these kinds of assaults against women risen or fallen in the last 5 or 10 years? Are we now at the top in terms of the number of these incidents, or at the middle, or the bottom? That is one question.

The other question is this. There are obviously a complex variety of causes or influences in our society personally and culturally that contribute to this problem of violence against women. Some of them we can do something about, and passing this legislation is obviously one way we can help.

Are there any cultural messages? Ms. Alexander, you indicated that the popular culture or something in our society is giving messages to our young people that taking control over women or being controlled by young men is a hip or popular thing, an acceptable thing to do.

Where are these messages coming from, and do you think there is a legitimate role that government should take to intervene in the transmission of these messages?

Ms. ALEXANDER. Time is short, so I would like to go back to your first question and touch on it very briefly. I'm sure others have something to say.

Statistically, I think there are a number of answers to your question about are more women being battered, murdered, et cetera. I am going to duck that one. What I will say is the answer that is probably most accurate is we do not know. The leading cause of homicide, when we look at relationships with people, is unknown. It is 80 percent of the cases in most jurisdictions, so we do not know as much as we should know.

We do not know as much as we should know about all of the devils in the details of this crime and these crimes against women and children. We need more data, we need more technology to create data. We need more data to be publicized and public. We need to hold ourselves accountable. It is a precious resource and we cannot squander it.

To respond very quickly to your second question, I think the message is, relative to permission, if you will, relative to sort of aggrandizing ways to be violent against women is pervasive in our culture, regardless of one's ethnicity or socioeconomic status. It seems to be a game in which we are all equal participants in the field. I think changing that really is going to change how we parent.

Mr. ROTHMAN. I don't mean make it simplistic, but what are the sources? For example, we know in terms of general violence, we complain about high levels of violence on television, movies, video games, and the like.

Are they the same sources of these messages about abusing women, or are they coming from different places? Again, I do not want to demonize any one particular part of our culture. There are plenty of parts of our culture to demonize or hold accountable.

We are here and we are supposed to try to focus in on places. We have V-chips, Internet, nanny controls, salacious and sadistic videos that young people should not be exposed to, too young to make those choices. Where are the messages coming from?

Ms. FULCHER. I think, to respond to that, it is absolutely crucial if we are going to stop this violence against women that we do start addressing this at a young age, we address the impact this violence is having on children, and the violence that the children themselves are experiencing both in the family at home, and also teen dating violence that is happening in our young people.

While it is easy to point the finger at things like media images, and that is not something that we should ignore, we need to recognize that children are learning most of their behaviors from the people around them. They are learning it in their families, they are learning it in their schools, they are learning it by watching the others who live in their communities and how they interact.

We need to address this from a very strong public education standpoint. We need to make sure that children who are experiencing this, who are seeing this in their lives, are getting the kinds of services, getting the kinds of responsiveness from us that allows us to demonstrate that this is not the way that we should be behaving toward each other in our society.

So I do think it is absolutely critical that we start devoting some of our resources to addressing this at as young an age as possible to make sure we are not raising another generation of individuals who are going to suffer the same problems that we are suffering now.

Mr. CHABOT. Thank you very much.

Mr. ROTH. I have more questions but I probably should abide by the 5-minute rule.

Mr. CHABOT. Thank you.

Mr. Weiner?

Mr. WEINER. Thank you, Mr. Chairman. I am not sure, frankly, who would be best to respond to this. We have a trend in New York downward, a downward trend of crime in just about all categories except rape. In the last 5 or 6 years, it has continued to inch up.

Part of what we have learned is that some of the reason for this is that the way that rape victims and victims of sexual abuse are handled when they enter the system instantly provides disincentives to them pressing ahead with their pursuit of justice, and also seems to create problems for prosecutors later on down the road.

In particular, I refer to the way victims are treated when they enter hospital emergency rooms. What we have found in New York, and from what I understand, this goes on elsewhere, very often when the triage that goes on in a hospital emergency room considers the seriousness of someone's injuries, very often a victim of rape would fall frankly very low. And so their first experience after the trauma of rape as they are dealt with in an emergency room, unfortunately, in cities like New York, if you are a poor woman, you are likely to go into a public hospital and spend conceivably hours waiting until you are even seen by a health professional, let alone someone who is skilled at dealing with the problems of sexual abuse.

One of the things that I am looking at and has been experimented with elsewhere is something called SANE, sexual abuse nurse examiners, who are on call 24 hours, who visit with these victims instantly. They not only serve to provide comfort, but they also understand the intricacies of evidence collection, of getting recollections as quickly as possible, making the woman feel comfortable that the system is going to be responsive to them if and when they do press ahead with the charges.

I don't know whether Ms. Fulcher or Ms. Campbell, could you comment perhaps on these types of experiences where these programs are in place, if you are familiar with them and the problems that creates, not only from the woman's perspective—of course, that is very important—but from the perspective of the prosecution of someone at the end of the trail of evidence, not wanting to make it a cold analysis like that, but that perhaps might be partly to blame tort statistics, that we are not having the same results in terms of cracking down on instances of rape as we are of other crimes?

Whoever wants to take a stab at that.

Ms. CAMPBELL. I will. We have been very disturbed by the intransigence of those rape numbers. I just returned from Phoenix, where there is a very huge story that the hospitals there triage rape victims way down the list, and after they have waited for many hours, having been told not to go to the bathroom, because it could taint evidence, they are then informed, sadly, that the hospital has no rape kits.

I am not revealing a State secret at all. This was highly publicized. There is no excuse for not having rape kits. Any number of sources are available to pay for them.

Hospitals, I gather from comments that I hear, really do not like to examine—particularly ERs, they are very busy—they do not like to examine rape victims because it is a crime, and they are going

to get torn away and tied up in court proceedings for who knows how long.

It seems to me, especially since I have seen data saying that prosecutions are more successful with sexual assault nurse examiners, it seems to me that is a better route to go. Because the fragile moment for that rape victim certainly is at her first point of intervention with someone, how she is treated at that point is critical.

It seems to me if dollars were no obstruction, that would be a very good thing for programs like House of Ruth and others to buy the necessary equipment and do the examining there. That is the solution they are seeking in Phoenix. That may not be realistic. Every community has to develop their solution in the right way.

But we as a society have an obligation for sure to treat these victims of very, very dangerous crimes with dignity and respect.

Mr. WEINER. Thank you. My time has expired. Ms. Fulcher, do you have any comment on that question?

Ms. FULCHER. No.

Mr. WEINER. Thank you.

Mr. CHABOT. Thank you, Mr. Weiner.

Our final questioner for this panel will be the Ranking Member of this committee, and that is Mr. Scott.

Mr. SCOTT. Thank you, Mr. Chairman.

I had a couple of technical questions first. I would ask Ms. Campbell, in terms of our need to reauthorize, the substantive law does not need to be reauthorized, it is just the funding that needs to be reauthorized; is that correct?

Ms. CAMPBELL. We have submitted some technical amendments to the grant program and to some of the criminal offenses, but generally we are very much targeting reauthorizations.

Mr. SCOTT. What are the technical changes in the substantive law that need to be corrected?

Ms. CAMPBELL. I will get those to you.

Mr. SCOTT. Are they in the bill, in the bill that is before us?

Ms. CAMPBELL. I don't know. We can get those to you. It has to do with specific language in some of the criminal offenses that would make prosecution easier, and also in some of the grant programs. We will be happy to provide those specifics.

[The information referred to follows:]

STORIES FROM THE FRONTLINE: HOW VAWA 1994 FUNDING HAS CHANGED THE FACE OF VIOLENCE AGAINST WOMEN AND FAMILIES NATIONWIDE

The programs created under the Violence Against Women Act of 1994 (VAWA '94) have already made a difference in thousands of women's lives—bolstering prosecution of domestic violence, sexual assault and child abuse, increasing victim services, increasing resources for law enforcement, and creating a National Domestic Violence Hotline. On March 24, 1999 Representatives Constance Morella (R-MD) and Nancy Johnson (R-CT), along with 29 other co-sponsors, introduced the VAWA Reauthorization bill which will continue these crucial programs. It reauthorizes VAWA programs for another five years at levels essential to service providers and law enforcement doing this work on the frontlines. With the original Violence Against Women Act programs due to run out in fiscal year 2000, this reauthorization package will continue the Congressional commitment to making our streets and homes safe for women and children.

The following is a state-by-state breakdown of how VAWA funds have been used to establish and enhance projects in courts, police departments, hospitals and shelters in each of the 50 states and United States territories. This information does not attempt to be a comprehensive analysis of how each state has used its funding. Instead, the stories presented here provide a sampling of programs that illustrate

ways in which VAWA money has been used to fund collaborative community efforts and life-saving programs for women and children in communities across the nation. As we approach the new millennium, we must ensure that these crucial programs are allowed to continue. VAWA '94 has provided women in the United States with many of the resources essential to their basic safety and survival. We cannot allow this vital funding to disappear. We must reauthorize Violence Against Women Act monies now. Women and children cannot afford to wait.

Alabama

Five Year VAWA total: \$ 9,561,513

Five Year FVPSA: \$ 3,513,071

* FVPSA stands for Family Violence Prevention and Services Act, which was partially authorized by VAWA 1994.

Birmingham, AL¹

The City of Birmingham will be using VAWA funding to augment its Domestic Violence Task Force. Coordinated by Project SAFE, the Domestic Violence Unit of the Birmingham Police Department, the multi-disciplinary work group is composed of victim advocates, prosecutors, probation and parole officers, judges, and other professionals who have contact with families experiencing violence. The project will implement a pro-arrest program and policy that addresses protection order violations. Policies and training programs will be developed to improve arrest and conviction rates. A supplemental domestic violence report will be developed in scannable form to identify and track data. In addition, protocols and other training guides will be issued to educate all relevant parties about the appropriate handling of domestic violence cases.

Poarch Band of Creek Indians¹

Atmore, Alabama

The Poarch Band of Creek Indians will develop and strengthen tribal justice system strategies to address violent crimes against Indian women and victim services. They also will expand efforts to address violence against Indian women by training tribal judicial system personnel and tribal police officers on the tribe's new domestic violence code and its officer and prosecutor protocols. A specialized unit will be established in the tribal police department to respond to violent crimes perpetrated against Indian women. In addition, data collection and information-sharing efforts will be enhanced to ensure confidential and appropriate services are delivered to victims in a timely fashion.

Alaska

Five Year VAWA Total: \$ 6,011,961

Five Year FVPSA Total: \$ 1,600,000

Alaska: Rural Sexual Assault Project²

Standing Together Against Rape (STAR), an Anchorage-based sexual assault program, conducted 12 three-day training sessions for rural and bush communities in Alaska. These sessions brought together teams of Village Peace and Safety Officers, local police, troopers, medical personnel, health aides, and advocates to discuss how to overcome identified barriers to create an effective criminal justice response to sexual assault. A total of 630 people participated in the sessions, which were given by a district attorney, a state trooper, and a sexual assault victim advocate. Since participating, eight communities have established Sexual Assault Nurse Examiner and Sexual Assault Response Team Programs.

STOP Violence Against Women Legal Advocacy Project

Started in 1996 from VAWA funding, the Legal Advocacy Project has improved coordination between all parts of the justice system including legal advocates, prosecutors, law enforcement and the court system. Continued VAWA funding is critical to ensuring a coordinated and effective response from the justice system. The project staff are available to assist advocates at each of the twenty-one domestic violence and sexual assault programs affiliated with the Alaska Network on Domestic Violence and Sexual Assault. The Legal Advocacy Project provides critical services including: technical assistance to domestic violence and sexual assault advocates; coordination, systems advocacy and training with all parts of the criminal and civil justice systems including law enforcement, prosecution, court system personnel, child protective workers, medical personnel, and family law attorneys; conduct regional and statewide training for legal advocates; and conduct outreach to rural parts of Alaska.

Arizona

Five Year VAWA Total: \$ 13,602,893

Five Year FVPSA Total: \$ 3,533,713

Mesa Police Department³

VAWA city of Mesa has leased a separate building where it houses multiple agencies to promote coordinated handling of sexual assault and domestic violence cases. The following entities are housed at the Center Against Family Violence : domestic violence and sex crimes detectives, two child protective services workers, an on-call doctor, a county attorney, and advocates from two local community-based programs. The center eliminates multiple victim interviews by arranging joint interviews with detectives, child protective services, and the county attorney. There is also a forensic medical examination room on-site.

Eloy, AZ¹

The funds will allow the City of Eloy to create a more coordinated response to domestic violence in collaboration with the city's police department, the Pinal County Domestic Violence Coalition Against Abuse (the local nonprofit victim service agency), the Pinal Hispanic Council, and the Eloy Justice Court. Project goals include: 1) training of police officers and victim advocates; 2) assigning a detective to improve the quality and continuity of investigations and prosecutions; 3) immediate assigning of police officers, a domestic violence detective, and patrol supervisors to administer protection orders and arrest warrants; 4) legal advocacy and counseling services through the Pinal Hispanic Council; 5) training for hospital staff and the Pinal County Domestic Violence Coalition; 6) assisting the operation of transitional homes for women and children; and 7) assigning a part-time court clerk to expedite and monitor protection orders.

Hopi Tribe¹

Kykotsmovi, Arizona

These funds will allow the Hopi Domestic Violence Program to create a coordinated response to domestic violence among law enforcement, prosecution, the court, probation, and victim services providers. Project goals and objectives are to: 1) develop a computerized interagency link between the tribal prosecutor's office and local/off-reservation service agencies to allow for immediate responses to criminal and civil violations of protection orders, probationary compliance of offenders, and full faith and credit compliance; 2) develop policies and training programs that address full faith and credit; 3) train law enforcement officers, judges, prosecutors, and service providers about domestic violence; 4) strengthen the collaborative efforts among law enforcement, the tribal courts, prosecution, probation, and victim services providers; 5) improve the for process serving hearing notices and court orders; and 6) strengthen the response to violence against Hopi women through the development and use of community or village-specific responses, including safe homes.

Arkansas

Five Year VAWA Total: \$ 7,243,915

Five Year FVPSA Total: \$ 2,054,750

Arkansas Office of the Prosecutor Coordinator¹

Little Rock, AR

VAWA funds will allow the state to continue funding the four Coordinated Community Response teams in Washington, Jefferson, Craighead, and Garland Counties to serve as models, as well as to develop and revise protocol and coordination among team member agencies in addressing domestic violence in their respective communities. These county teams will include representatives from immigrant populations. In addition, two more counties will be chosen to develop coordinated community response teams. The state will also develop community-to-community and peer-to-peer training programs on domestic violence using the pilot county team members as trainers. Training will be offered to other counties, especially underserved rural areas of the state. They will also improve the training curriculum for law enforcement developed by the Prosecutor Coordinator's Office and the Arkansas Coalition Against Domestic Violence, combining it with the American Prosecutors Research Institute seminar materials. This revised curriculum will address the definition of domestic violence, current laws, protection orders, police investigation techniques, lethality assessments, and a model policy for responding to police officers who batter. Also, the state will continue funding the three legal advocates to recruit, train, and coordinate volunteer programs providing legal advocacy in regions of the state where no advocates are available. These advocates also will be on call to respond to victims' questions and to assist volunteer advocates.

Project for Victims of Family Violence¹

Fayetteville, Arkansas

The Project for Victims of Family Violence is a non-profit agency that, with VAWA money, will enhance the quality of its current services, which include providing safe

shelter to victims of domestic violence, primarily in Washington, Benton, Carroll, and Madison Counties. It will create a team comprised of a women's advocate, children's advocate, and court advocate who will serve as an on-site legal resource for shelter residents, staff, and the community. They will also assist women with filing protection orders and reporting to child protective services. The advocates will serve as contacts for agencies such as Child Protective Services, the County Victim Assistance Program, Legal Aid, other non-profits, educational institutions, businesses, and the community. Together with the Coordinated Community Response Team serving Washington County, the advocates will conduct training sessions and develop informational materials that raise community awareness about issues surrounding rural domestic violence.

California

Five Year VAWA Total: \$ 63,592,637

Five Year FVPSA Total: \$ 26,176,002

California: Statewide Stalking Training⁴

The California Peace Officers Standards and Training Board (POST) used STOP funds to develop a two-hour live telecast on stalking. The first law enforcement video to address stalking specifically, it features national experts talking about law enforcement response and investigation techniques. POST has satellite down-links in every police and sheriff's department in the state. This allowed POST to reach at least 6,000 officers when the program first aired via satellite video conferences around the state. The program, in video form, has also reached prosecutors and judges in the state and throughout the country.

Lideres Campesinas

Migrant Farmworker women are often isolated from the services for women victims of violence. Lideres Campesinas, or the Farmworker Leadership Development Project, has a three-year STOP-funded pilot project to create a grassroots network of migrant farmworker women to help others. The project has trained 187 local service providers (including social, mental, and human services) on cultural barriers that prevent farmworker women from obtaining services. In four communities the project has placed a trained farmworker woman with an existing domestic violence program. In 1997 the project conducted workshops on violence against women, victim rights, and available services for over 1,000 farmworker women. In addition, 318 battered farmworker women or sexual assault victims sought help from Lideres members.

San Rafael, California¹

VAWA funds will be used to offer immediate, post-arrest, civil legal assistance and social services to victims of domestic violence to determine if this strategy increases victim cooperation and results in improved prosecutorial outcomes, deterrence, and victim safety. Direct legal services through Legal Aid staff and pro bono private attorneys will include legal representation to obtain restraining, custody, support, and visitation orders. The funds will also be used to expand automated tracking of pre-trial civil legal and support services and the impact on prosecutions and deterrence. Marin County will also conduct a computer system requirements analysis to determine whether an integrated domestic violence case information system is feasible. Marin County will offer support services, immediate and long-term safety planning, and emergency and transitional housing for battered women and their children through Marin Abused Women's Services advocates and trained volunteers.

Colorado

Five Year VAWA Total: \$ 11,425,111

Five Year FVPSA Total: \$ 3,101,932

Colorado Multi-disciplinary Training Team⁶

The Colorado Multi-disciplinary Training Team has provided 2-3 days of training, protocol development, and community coordination development to 21 rural communities in Colorado. The team, composed of a law enforcement officer, a prosecutor, and one representative each from the Colorado domestic violence and sexual assault statewide coalitions, trains representatives of local criminal justice system agencies (police, prosecutors, and judges), victim services agencies, and other relevant agencies and organizations (including religious leaders and medical professionals). The training agenda includes two days focused on domestic violence and sexual assault basics, police response and investigation, and prosecution of domestic violence and sexual assault cases. During these two days, community teams begin to develop inter- and intra-agency protocols for handling violence- against-women cases. Trainers devote the third day to helping community teams develop a community coordi-

nating body. Trainers are also available to provide follow-up technical assistance and training. Since it began, the team has trained over 700 people. Thirteen participating communities began coordinating councils after attending the training.

Colorado Springs, Colorado

The Domestic Violence Emergency Response Team (DVERT), a multi-disciplinary team of patrol officers, detectives, prosecutors, victim advocates, and human services case workers who identify and respond to high-risk-for fatality domestic violence cases, will expand current efforts by implementing new protocols for domestic violence cases involving stalking and sexual assault. The DVERT Team will continue to develop multi-disciplinary training for all component agencies and will hold summits on working with the faith community and assessing the potential that a situation will provoke lethal activity.

Denver, Colorado¹

The State Court Administrator's Office of Probation will continue to serve as the lead agency for this project. The goal of the project is to develop and implement lethality and risk assessment tools for assessing adjudicated batterers to determine appropriate supervision and treatment options for individual offenders. The project will continue to research the effectiveness of the assessment tools both with offenders and their victims. The Office of Probation will examine the feasibility of: 1) establishing a domestic violence court to fast track screening and sentencing of offenders; 2) an expedited violation response process for offenders violating terms of probation; and 3) a system of treatment options that can be tailored to the offenders' risk factors as identified by the assessment tools. The project will serve as a judicial oversight pilot project for the Grants to Encourage Arrest Policies Program. Project participants will be involved in technical assistance and training initiatives sponsored by the Violence Against Women Grants Office. In addition, the Office of Probation will develop a detailed plan of action for future project activities.

Golden, Colorado¹

These funds will allow the Jefferson County Domestic Violence Board/Coordinating Council to continue and expand their activities. The specialized prosecution unit in the Jefferson County District Attorney's Office will continue to prosecute domestic violence crimes. Governmental and non-governmental victim advocates will assist domestic violence victims from the initial call for service through final case disposition. Training seminars on evidence collection and interviewing witnesses will be provided both to patrol officers and investigators. Intensive supervision of offenders will be implemented by the Department of Probation to ensure victim safety while holding batterers accountable for their actions. Victim advocates will accompany victims to civil court and assist them in filing for civil restraining orders. Legal representation for indigent victims of domestic violence seeking orders of protection in civil court will be provided. In addition, the Jefferson County Domestic Violence Board will work with businesses in the local community to facilitate the development and implementation of workplace domestic violence safety protocols and procedures.

Connecticut

Five Year VAWA Total: \$ 8,575,180

Five Year FVPSA Total: \$ 2,706,040

Greenwich, Connecticut¹

The City of Greenwich will create a multi-disciplinary team that will address domestic violence in a coordinated, comprehensive manner. Specifically, the Town of Greenwich's Police Department will establish a domestic violence prevention unit that will form partnerships with members of the criminal justice system, domestic violence support services, and local community organizations and agencies. They plan to provide domestic violence awareness training to police, prosecutors, judges, and victim service providers. They also plan to make necessary technological adjustments to improve case tracking and victim emergency notification.

Connecticut Office of Policy and Management¹

Hartford, Connecticut

The Office of Policy and Management will continue to serve as the applicant agency on behalf of the Office of Alternative Sanctions and will oversee the administration and implementation of project activities. The goal of the project is to enhance the state's court infrastructure to provide victim advocacy and services, while implementing effective strategies and sanctions to monitor offenders and reduce repeat offenses. A specialized domestic violence docket will be implemented for the Bridgeport court, and funds will support the staffing and training needs of the domestic violence court. Several state-wide conferences and a national meeting will also be held. Victim services will be improved through collaborative activities with the Con-

necticut Coalition Against Domestic Violence's Family Violence Victim Advocate program.

Delaware

Five Year VAWA Total: \$ 4,042,777

Five Year FVPSA Total: \$1,600,000

La Esperanza/Hope⁷

La Esperanza, a domestic violence program in Georgetown, Delaware, has expanded services to low-income Latina women who are victims of domestic violence. The program offers services to address the myriad of barriers that low-income battered Latinas often face. Services include a 24-hour Spanish-language hotline staffed by on-call advocates with cell phones, and resource cards in Spanish that contain the phone numbers of police departments, prosecutor's offices, the hotline, and social service agencies. The shelter provides outreach to the Latina community through a Carmelite sister, a trusted community member, who is often the first link to services for women not in immediate crisis.

Delaware Criminal Justice Council¹

Wilmington, Delaware

VAWA funds will be used to further develop and implement strategies that support early identification, intervention, and prevention of domestic violence; increase victims' safety and access to counseling and other services; and enhance the investigation and prosecution of domestic violence cases in rural Kent and Sussex Counties.

District of Columbia

Five Year VAWA Total: \$ 3,565,364

Five Year FVPSA Total: \$ 1,600,000

District of Columbia Office of Grants Management and Development¹

Washington, DC

VAWA funds will allow the District of Columbia to implement a number of projects to assess the current law enforcement, prosecution, judicial, and victim services systems designed to address domestic violence. Project activities will include a series of judicial education and training sessions; the creation of a multi-state, full faith and credit task force; placement of community-based victim advocates in each of the District's seven police districts, placement of six community-based, victim advocates in the domestic violence courtrooms at D.C. Superior Court; a series of focus groups to examine the existing court-based domestic violence programs; and a needs assessment for traditionally underserved domestic violence victims in the District.

Florida

Five Year VAWA Total: \$ 27,239,653

Five Year FVPSA Total: \$ 11,738,144

In 1996, the Florida Coalition Against Domestic Violence (FCADV) was awarded VAWA funding to create a statewide rural initiative for the establishment of victims services in five rural counties where limited or no services existed. The initial three years of the project focused on establishing community infrastructure to ensure long-term financial sustainability of direct service provision. FCADV developed a community-organizing model that focused on creating coordinated community support. Successful utilization of the model enabled each county to create a domestic violence task force, increase public awareness, secure private funding, establish rural outreach office and provide domestic and sexual violence outreach services. During 1997-98, FCADV received VAWA funding to replicate these successes in eleven additional communities. Thirteen rural outreach offices, serving over 3,000 victims and fourteen domestic and sexual violence task forces serving nineteen counties, were established as a direct result of the FCADV statewide rural initiative. In addition, two communities solicited donated houses for the establishment of satellite shelters. As of December 31, 1998, the initial five pilot counties were removed from VAWA funding, as they were able to secure private funding through community resources. The goal of the rural initiative is to utilize VAWA funding as seed money to establish rural outreach services and create the community infrastructure necessary to financially sustain long term direct service provisions.

VAWA funding has impacted the FCADV community tremendously over the past three years. When FCADV piloted the rural initiative there were no relationships between the shelters and criminal justice system in these communities. However, since the establishment of the county task forces and work with the criminal justice system, each community has established a solid coordinated community response among key law enforcement officers, prosecutors, and judges. FCADV has witnessed

a major impact among policy, procedures, and attitudes among criminal justice system officials as a direct result of VAWA funding. In addition, several rural Sheriff's and State Attorneys co-host with FCADV a rural conference that draws more than 500 people. This is the largest event of its kind.

If funding for FCADV would be cut or lost, rural battered women and their children would die. There would be a huge decline in education and cooperation among the rural criminal justice systems. VAWA funding provided the first opportunity to hold rural communities accountable for domestic violence. Without this funding, accountability and services would be compromised in rural communities.

Georgia

Five Year VAWA Total: \$ 13,993,434

Five Year FVPSA Total: \$ 5,973,075

Decatur, GA

International Women's House, a shelter for battered refugee/immigrant women and their children is funded by VAWA. VAWA funds support on-going work at the organization by funding case managers who work directly with the clients. Expanded services were made possible by VAWA funds. In addition to hiring staff, the shelter expanded its services to include: vocation counseling, job placement, legal advocacy, child care arrangements, medical and dental care, and support groups for both the women and their children. VAWA has helped the shelter to further increase collaborative efforts. Advocates work closely with the court systems and with other agencies who serve victims of domestic violence. If funding was cut, services would be reduced dramatically since the program would have to lay off staff who are now responsible for ensuring that the needs of the residents are met by the services offered.

Securus House

Morrow, GA

The Securus House of Morrow Georgia received VAWA funding in the past and used it to hire a Child Advocate. When the funding ended, they tried to retain the position. They are currently using interns but will be rehiring soon. State licensing requires that programs provide specific services to the children and advocates are committed to education and intervention at young ages. Another staff position must be terminated to provide the monies that were needed to rehire the position. This agency began services in 1984 and receives 10-11,000 service requests each year.

SAFE Shelter Outreach Program

Savannah, GA

The SAFE Shelter Outreach Program was initially funded by a U.S. Justice Department grant in 1996; however this was a one year, one time only grant. The second year, the Outreach Program was partially funded through a VAWA grant. The Outreach Program (which operates under the umbrella of SAFE Shelter in Savannah), and the Savannah Police and Chatham County Police departments work in tandem to promote Community Oriented Policing. The Outreach Program bridges the gap in services for victims of domestic violence by providing assistance for those in need of services and support but not necessarily shelter. Without VAWA funding, it is likely the Outreach Program would cease. While the SAFE Shelter board of directors has been supportive, it is unable to completely assume the responsibility of funding the program. To date, the Outreach Program has effectively provided direct services to approximately 500 victims of domestic violence. Through a collaborative effort, the program has coordinated services for victims with law enforcement, the judicial system, other social service agencies, and medical and mental health professionals.

Hawaii

Five Year VAWA Total: \$ 1,600,000

Five Year FVPSA Total: \$ 1,600,000

Statement from the Hawaii Coalition Against Domestic Violence

VAWA has dramatically changed the dynamic in our community. For example, it has helped increase the collaborative efforts between the police departments and the courts. VAWA helped to increase more communication between the two entities, therefore they have increased their communication. For example, the courts sought police input when standardizing Protection Orders in Family Courts statewide. They have come together to address system issues and common goals. As a result of VAWA 1994, over 42 projects have been created here in Hawaii. Many of these projects came about from a concerning need perceived in the community. Providing the Neighbor Islands with quality services has always been an important priority. The State of Hawaii is comprised of four county islands; Oahu, Kauai, Hawaii, and Maui (including Molokai and Lanai). About 80% of the state's population resides in

Oahu, and the remaining 20% live on the neighbor islands. In addition to these geographic issues, other problems include the following: language-barriers outreach to underserved communities, such as the disabled; substance abuse problems, and transitional housing. VAWA funding is essential for us to continue to fund programs that will address these needs.

Idaho

Five Year VAWA Total: \$ 5,879,034

Five Year FVPSA Total: \$ 1,600,000

Idaho Department of Law Enforcement¹

Meridian, Idaho

VAWA funds will allow the Idaho Department of Law Enforcement and Idaho's full faith and credit team to hold a series of full faith and credit training sessions throughout the state for local law enforcement officers, prosecutors, and the judiciary. Training curricula will include guidance on implementing full faith and credit and will address implications of non-compliance with the Violence Against Women Act's full faith and credit provision. The training will focus on educating and encouraging front-line staff about enforcement and violations of protection orders and the laws in place to protect them as enforcement officers, as well as to protect victims fleeing violence.

Coeur d'Alene Tribe¹

The STOP (Services*Training*Officers*Prosecutors) Violence Against Indian Women Discretionary Grant Program authorizes FY 1997 Federal financial assistance to Indian tribal governments to develop and strengthen the response of tribal justice systems to violent crimes committed against Indian women. The Program supports the development of strategies and establishment of innovative approaches to enhance Indian victim services and strengthen tribal law enforcement and prosecution efforts, where they exist. The program goal is to develop and strengthen tribal justice system strategies to address violent crimes against Indian women and to develop and strengthen victim services in such cases. The Tribe will develop the Coeur d'Alene Tribal Women's Program to provide domestic violence and sexual assault prevention, intervention and referral services for women in the community. A Women's Support Coordinator will be hired to help implement the program, providing training to Tribal agencies and the community and acting as a victim advocate for women.

Nez Perce Tribe¹

The Nez Perce Women Victims of Violence Project will address the needs of women residents of the reservation who suffer physical, emotional, and financial abuse at the hands of a family member. Goals for the program include: increasing and strengthening existing victim services programs within the tribal structure; improving awareness and accessibility to these services; creating a system of accountability for those who perpetrate violent crimes against women; strengthening the criminal justice system's response to violent crimes against women; and increasing public awareness about violence against women.

Illinois

Five Year VAWA Total: \$ 22,166,402

Five Year FVPSA Total: \$ 9,761,585

People Against Violent Environments (PAVE)

Rural Southern Illinois

PAVE was a recipient of one of four VAWA grants that were awarded in April, 1996. This grant allowed PAVE to open two outreach offices in the underserved counties of Clinton and Washington in rural Southern Illinois. Since receiving the first VAWA Grant in April 1996, the number of clients served in Clinton and Washington counties has increased by 66.25%. The number of orders of protection with which PAVE's advocates have assisted, has increased from 19 in FY95 to 116 in the first 11 months of FY99 in these two counties alone. PAVE's IDVA Coordinator just completed an eight week "Roll Call Training" project with the Clinton County Sheriff's Department at which 15 officers received training. This training, with the printed manuals, was made possible with VAWA grant funds. This funding has enhanced collaborative efforts within the justice system. As a result of this collaboration, Men Challenging Violence (MCV), a state protocol approved batterer's program, began a group in Carlyle in November, 1997. If these funds were cut, PAVE would have to close the outreach offices in both Clinton and Washington counties due to lack of funds. Staff would be cut by one advocate. These actions would hurt victims of domestic violence and hinder the services presently being provided to clients. Clients would have to wait longer for services, staff would not be as accessible, and privacy/confidentiality would be compromised. PAVE would not be able to provide the in-

depth training and community education that is presently being done in these counties by staff.

**CHOICES Domestic Violence Program of Carroll County
Mt. Carroll, IL**

CHOICES Domestic Violence Program of Carroll County was created with money obtained through the Violence Against Women Act. Prior to the establishment of CHOICES, victims of domestic violence would have to contact a neighboring county for services. That would require a victim to drive at least one half hour to the nearest domestic violence program, or up to 45 minutes to the next closest facility. Since opening in August 1998, the number of adult clients have increased by 73%, the number of enrolled children have increased by 89%. CHOICES plays an important role in the criminal justice system of Carroll County. Annually, our program provides training to Carroll County Law Enforcement regarding the changes in laws that pertain to domestic violence. Through various in-services and meetings, CHOICES staff has developed a positive working relationship with the local judge, State's Attorney's Office and the Sheriff's Department. Without the reauthorization of VAWA, many victims of domestic violence would be left without this program's valuable resources. Oftentimes, very few victims can travel the distances required for services outside of Carroll County because of unreliable or inadequate transportation. Therefore, it would be very unlikely that a victim would leave the abusive relationship that they are in. Carroll County is a rural area with very few resources available. It is crucial to victims of domestic violence in Carroll County that VAWA be re-authorized.

Indiana

Five Year VAWA Total: \$ 11,913,175

Five Year FVPSA Total: \$ 4,797,432

Legal Services of Maumee Valley, Inc.
Fort Wayne, Indiana

These funds will allow the Legal Services of Maumee Valley, Inc. to implement the Domestic Violence Civil Legal Project. Legal Services of Maumee Valley, Inc., in collaboration with the Center for Non-Violence and the YWCA Women's Shelter, will provide a range of services to battered women who are utilizing the civil justice system to enhance their safety. Attorneys and legal advocates will conduct outreach and intake at sites in Fort Wayne and its ten neighboring rural counties. Legal services lawyers will provide direct representation for battered women in a variety of civil legal cases. Domestic violence survivors will participate on the project's advisory board.

Iowa

Five Year VAWA Total: \$ 7,383,944

Five Year FVPSA Total: \$ 2,348,741

Crisis Center and Women's Shelter
Ottumwa, IA

The Crisis Center and Women's Shelter is a non-profit organization that provides services and safe shelter to battered women and children in ten counties in South-eastern Iowa. Since the original VAWA money became available, they have been able to enhance services to include outreach services in several of our ten counties. Thanks to the VAWA monies, the project has been able to hire two full time advocates to provide services outside of Wapello County. Without further VAWA funding, the Crisis Center and Women's Shelter would have to severely decrease service delivery. Two full time positions would be lost and victims of violent crimes would once again be forced to face the system alone. The advocates have worked with several hundred women and children in the outlying areas since the inception of the Outreach Advocate positions. The Crisis Center has become a stable source of referrals and services to battered women and sexual assault victims. To lose this service would greatly harm victims in rural Iowa, because there would be no services available that specifically serve the needs of domestic and sexual assault victims.

Domestic Abuse Response Team¹

Marshall County, Iowa

With VAWA funds, Marshall County, IA has been able to form a Domestic Abuse Response Team (DART) consisting of a police detective from the Marshalltown Police Department, an assistant county attorney from the Marshall County Attorney's office, and a court advocate from Domestic Violence Alternatives/Sexual Assault Center (DVA/SAC), the local victim service agency. Through the DART team, a cooperative agreement has been created where each agency agrees to provide a specific response to the issue of domestic abuse. As a result, the advocates have been able to train rural law enforcement agencies in Marshall County on laws pertinent to domestic

violence and stalking. In addition, their ability to work collaboratively with other agencies dealing with domestic abuse has improved. Each member of the DART team participates on the local domestic abuse coalition. Therefore, community members are able to interact with the local Coordinator of the Batterer's Education Program, the substance abuse program that covers Marshall County, social workers and emergency rooms nurses from the local hospital

Kansas

Five Year VAWA Total: \$ 7,261,891

Five Year FVPSA Total: \$ 2,118,305

Kickapoo Tribe in Kansas¹

This program will use VAWA funding to develop and strengthen tribal justice system strategies to address violent crimes against Indian women and to develop and strengthen victim services in such cases. The Kickapoo Tribe in Kansas will coordinate the efforts of three tribal departments (Kickapoo Victims of Crime, Tribal Law Enforcement, and the Tribal Court) to develop and implement a plan of action to address violence against women. In addition, educational materials will be provided to community members to raise awareness of violence against women in the community.

Sac & Fox Tribe of Missouri¹

The goal of the Sac & Fox Tribe is to develop an integrated plan of operations support among the Tribal Police, the Tribal Court, and the Multi-County Domestic Violence Program to reduce violent crimes committed against Indian women. This systematic approach will formalize each stakeholder's cooperative efforts in assisting families and linking services to benefit victims and their children. The Tribe plans to also establish protocols and standards for use with surrounding counties to establish a collaborative, cooperative effort among tribes in combating violence against Indian women. This plan will include providing direct services to victims, networking available services, revising the Tribal Code on domestic violence offenses, establishing revised protocols for the Tribal Police, and formalizing a protocol with the local community hospital for the collection of forensic evidence.

Kentucky

Five Year VAWA Total: \$ 9,312,704

Five Year FVPSA Total: \$ 3,189,757

Jefferson County Police Department - Domestic Violence Unit¹

Louisville, KY

These VAWA funds will allow the Jefferson County Police Department to expand their current pilot project to the remaining three Jefferson County police districts. The Jefferson County Domestic Violence Prevention Coordination Council will coordinate and centralize law enforcement, prosecution, probation, parole, and home incarceration for domestic violence cases in groups or units of police officers, victim advocates, prosecutors and probation and parole officers. The Council's services will be continued and enhanced by: 1) expanding the staff of visitation exchange personnel for families where safety is an issue; 2) improving collaboration between police departments and the court system; 3) providing violence prevention information for victims in Spanish, Russian, and Vietnamese; 4) developing a domestic violence case tracking system through data development; and 5) increasing accessibility to community services.

City of Louisville¹

Louisville, Kentucky

Louisville's project has four key components: 1) the education of all Louisville Police Department officers on how to conduct more thorough domestic violence investigations; 2) the creation of specially trained teams of detectives, advocates, and officers within the five police districts; 3) the provision of an additional trained detective and an advocate for the Domestic Violence/Sex Crimes Unit to work with law enforcement, prosecution, and the courts to investigate and manage additional felony prosecutions; and 4) the expansion of Community Oriented Policing initiatives to include workshops on workplace violence.

Kentucky Justice Cabinet¹

Frankfort, Kentucky

This award will support the development of two Domestic Violence Resource Centers and four portable domestic

violence learning units. Funds will also help establish a domestic violence web site and support the development of strategies addressing: 1) early identification; 2) increased use of domestic violence curricula in primary and middle schools; 3) intervention and prevention of domestic violence; 4) increased victims' safety and access

to treatment; and 5) enhanced investigation and prosecution of domestic violence cases in rural counties.

Louisiana

Five Year VAWA Total: \$ 10,437,803

Five Year FVPSA Total: \$ 3,584,385

Louisiana: "Collaborating to Stop Violence Against Women" Conference⁸

The Louisiana District Attorneys Association received VAWA funds to organize an unprecedented training opportunity. Its three-day conference brought together over 200 elected officials, including district attorneys and chiefs of police, to learn about improving the criminal justice system response to domestic violence and sexual assault. The presentations by national experts addressed effective investigation and prosecution techniques and strategies. The governor opened the conference, in which every session stressed the importance of multi-disciplinary collaboration on cases involving violence against women. This was the first meeting of its kind in the state, and the Louisiana District Attorneys Association is planning to hold annual conferences on issues relating to violence against women in subsequent years.

City of New Orleans¹

New Orleans, Louisiana

New Orleans plans to enhance its current domestic violence initiatives by improving computer linkages in order to more effectively track protective orders and monitor offenders; providing improved advocacy in the District Attorney's Office and municipal, juvenile and criminal district courts for victims and their children; providing outreach to immigrants; centralizing prosecution of domestic violence cases within the District and City Attorney's Offices; and enhancing training of public and private professionals who deal with domestic violence victims and their children.

St. Tammany Parish¹

Covington, Louisiana

St. Tammany Parish will use these funds to expand their original project by developing a protocol for the enforcement of violations of protection orders, developing policies and procedures for law enforcement officers responding to domestic violence cases, and educating judges and other personnel responsible for the handling of domestic violence cases.

Maine

Five Year VAWA Total: \$ 1,600,000

Five Year FVPSA Total: \$ 4,868,488

Cumberland County¹

Portland, Maine

Cumberland County will use VAWA funds to strengthen its community's response to domestic violence. It will create a domestic violence unit, build partnerships with businesses, improve outreach and public education, and develop a domestic violence review panel and advisory board.

Houlton Band of Maliseet Indians¹

Houlton, Maine

The Houlton Band of Maliseet Indians will develop and strengthen tribal justice system strategies to address violent crimes against Indian women and victim services. Specifically, they will increase tribal employees' and community members' identification and reporting of incidences of domestic violence, improve services to women who are victims of domestic violence, and develop a coordinated response to domestic violence among the various tribal departments and state law enforcement.

Maine Department of Human Services - Bureau of Child and Family Services¹

Augusta, Maine

The Maine Department of Human Services will use these funds to attend training and technical assistance conferences sponsored by the Violence Against Women Grants Office. The overall goal of the project is to create a coordinated approach to helping battered women and abused children by using health care providers as the first line of defense. A three-tiered approach of collaboration, on-site intervention, and training will be pilot-tested in four settings and disseminated state-wide through organizational affiliations and two conferences.

Maryland

Five Year VAWA Total: \$ 12,918,385

Five Year FVPSA Total: \$ 4,158,377

City of Baltimore¹

Baltimore, Maryland

Baltimore City will use VAWA funds to enhance its police department's response to domestic violence.

Components of this project include advanced training on domestic violence for police department command personnel and a quality compliance procedure to ensure the proper investigation of all domestic violence cases. The city will also specifically strengthen the Internal Investigation Division's ability to investigate and administratively prosecute cases involving police officers who commit acts of domestic violence.

Governor's Office of Crime Control and Prevention¹

With these funds, the State of Maryland will continue the collaborative training efforts of the Maryland State

Police and the Maryland Network Against Domestic Violence. The state will also enhance the implementation of preferred-arrest policies within six of its jurisdictions. Projects within these jurisdictions include: the support of a domestic violence criminal court, assistance to agencies that provide direct services to victims of domestic violence, and efforts to strengthen the law enforcement response to and investigation of domestic violence crimes. Additionally, the state will foster partnerships between the business community and the criminal justice system to promote the safety of battered women.

House of Ruth Baltimore, Inc.¹

Baltimore, Maryland

The House of Ruth has joined with the Women's Law Center to develop a comprehensive court-based program for victims of domestic violence. The goal of this program, Help Establish Legal Protection Permanently, is to maximize victim safety and provide advocacy and victim services. With these funds, the House of Ruth and the Women's Law Center will enhance the court-based services for victims of domestic violence in Baltimore City and Prince George's County, including the Project Order Advocacy Representation Project that assists victims with civil ex parte and protective orders, provides long-term representation in family law cases, and advocacy on employment, medical assistance, and housing.

Massachusetts

Five Year VAWA Total: \$ 14,293,562

Five Year FVPSA Total: \$ 5,017,465

City of Brockton¹

Brockton, Massachusetts

VAWA grant funds will allow the Brockton Police Department to continue training officers and civilian personnel in collaboration with the Brockton Family and Community Resource Center's Domestic Violence Action Program. The department also will develop and implement a domestic violence offender probation monitoring project in collaboration with the Brockton District Court Probation Department. A Community Task Force on Domestic Violence will encourage collaboration and information sharing among representatives from: law enforcement, prosecution, probation, community-based victim advocacy agencies, the judiciary, medical professionals, and members of the business community. The Brockton Police Department also will continue to train officers and civilian personnel on the city's mandatory reporting protocol for police officers who batter.

Town of Danvers¹

Danvers, Massachusetts

These funds will allow the Danvers Police Department to create a more coordinated response to domestic violence in collaboration with the City of Salem Police Department, the Essex County District Attorney's Office, the local nonprofit victim services agency (Help for Abused Women and Children), and the First District Court of Essex County. Funds will support continued training for Danvers' police officers on the state's pro-arrest protocols, policies and procedures; the creation of a specialized prosecution unit at the Essex District Attorney's Office; and collaborative training efforts with victim advocates from Help for Abused Women and Children. In addition, the Danvers Police Department will collaborate with the Salem Police Department and the Salem District Court Probation Department to implement a warrant apprehension system across jurisdictions.

City of Waltham¹

Waltham, Massachusetts

VAWA funds will allow the Waltham Police Department to continue the operation of a specialized domestic violence unit in collaboration with the Support Committee for Battered Women; expand court and probation department-based victim advocacy efforts; provide training to patrol officers and dispatchers on the state's domestic violence arrest policies; and support the activities of the Domestic Violence Advisory Task Force, including the publication and distribution of multi-lingual informational brochures for victims.

Wampanoag Tribe of Gay Head¹

This program's goal is to develop and strengthen tribal justice strategies to address violent crimes against Indian women and to develop and strengthen victim services in such cases. Through this project, the Wampanoag Tribe of Gay Head will provide prevention, education and support services for Aquinnah Wampanoag women and promote the stability and security of all Tribal women and their families by implementing the edicts established in the Tribal Constitution and Tribal customs, codes and policies.

Massachusetts Department of Public Health, Bureau of Family and Community Health¹

Boston, Massachusetts

This project's goal is to build on existing resources and coalitions and strengthen the system's capacity in specific areas during the project period, while planning for long-term changes. Specific project activities include increasing services to victims of domestic violence and child victimization, enhancing community awareness and education, training for multi-disciplinary service providers, and long-term planning for addressing domestic violence and child victimization in Berkshire, Franklin, and Hampshire Counties.

Michigan

Five Year VAWA Total: \$ 20,189,170

Five Year FVPSA Total: \$ 7,897,309

Women's Center⁹

The Women's Center, which serves two rural counties in the Upper Peninsula of Michigan covering a geographic area of 2,784 square miles, provides access to crisis services for victims of domestic and sexual violence who live in this extremely remote area. The distance victims formerly had to travel in order to receive services, coupled with harsh winter weather and/or lack of transportation, led the Women's Center to establish satellite offices throughout the two counties and hire teams of on-call victim advocates. The corps of victim advocates rotates 24-hour on-call duty. When paged, the advocates travel to the scene of the incident, a medical facility, or wherever the victim prefers to meet, in order to provide crisis counseling, accompaniment to a medical center or police department, referrals, transportation to shelter, and emotional support. The satellite offices have demonstrated the need for their services: the Munising office served 55 clients during its first fiscal year of operation and has served 47 in the first six months of its second year; the Ishpeming office served 58 clients in its first year and 39 in the first six months of its second fiscal year.

Bay City¹

Bay City, Michigan

The Bay City Police Department will use these grant funds to continue to support a law enforcement mobile unit and a specialized domestic violence investigative team, as well as to centralize and coordinate police enforcement efforts, prosecution, judicial responsibility, and services for victims and witnesses. This project will continue centralized maintenance of records. Multi-disciplinary training among agencies will continue to be implemented in partnership with the Bay County Women's Center and the Bay County Prosecutor's Office.

City of Inkster¹

Inkster, Michigan

The City of Inkster, First Step (a nonprofit victims group), and the Wayne County Prosecuting Attorney's Office will continue collaborating to address domestic violence in the Inkster area. Two specially trained law enforcement officers, a victim advocate, and a special prosecutor will continue to improve their efforts to address the needs of victims and appropriately sanction their abusers. Continued training of law enforcement officers, protocol development, and structured systems collaboration will further enhance the response to domestic violence cases, victim assistance, and efforts to hold perpetrators accountable.

Kalamazoo County¹

Kalamazoo, Michigan

The Kalamazoo County Office of the Prosecuting Attorney, in partnership with the Kalamazoo YWCA Domestic Assault Program, will expand strategies and intervention that began using FY 1997 VAWA funds. Three assistant prosecuting attorneys, two victim advocates, and a clerk are supported by this project. This year's funds will allow the County to hire an additional assistant prosecuting attorney, which will enable the team to address felony domestic violence cases. Additionally, a contract with the YWCA will supplement outreach and advocacy efforts.

Washtenaw County¹

Ann Arbor, Michigan

The Washtenaw County Sheriff's Department, the Ann Arbor Police Department, the Washtenaw County Prosecutor's Office, and the Domestic Violence Project/Safe House will collaborate to establish a model domestic violence court, which will centralize and coordinate law enforcement, prosecution, probation, and judicial responsibility for domestic violence cases. Washtenaw County will employ sanctions and intense supervision to manage offender behavior and ensure victim safety.

Minnesota

Five Year VAWA Total: \$ 9,357,093

Five Year FVPSA Total: \$ 3,816,728

Gender Violence Institute

Duluth, MN/Statewide

The Minnesota State Department of Corrections Victim Services Unit was funded for two years by VAWA grants to the Gender Violence Institute under the auspices of the National Training Project in order to consult with six rural battered women's criminal justice intervention projects to enhance their working relationships with local law enforcement agencies in the context of a larger coordinated community response. The Gender Violence Institute meets with targeted criminal justice intervention projects and law enforcement agencies to examine and strengthen their collaboration in four key areas: 1) the response at the domestic assault scene and immediately following; 2) the writing and multiple uses of arrest reports; 3) the development of intra- and inter-agency policy, procedure and protocol; and 4) the role of law enforcement and advocacy programs within a larger and coordinated community response. Additionally, the Minnesota Bureau of Criminal Apprehension has received VAWA funding to collaborate with the Gender Violence Institute, local training units, and affected agencies to develop law enforcement training in the six communities. In this program, they worked with 24 law enforcement agencies and 12 community battered women's programs in rural Minnesota. All of these programs have been effective in combating gender violence throughout Minnesota.

Red Lake Band of Chippewa Indians¹

Red Lake, Minnesota

The Battered Women's Legal Advocacy Project (BWLAP), a statewide domestic violence service provider, will work with the Red Lake Women's Advocacy Program/Shelter to address the legal issues associated with facilitating inter-jurisdictional enforcement of protection orders for Native American Reservations in Minnesota. The project team, comprised of advocates from each Minnesota Tribe, will research the legal and policy implications of complying with the full faith and credit provision of the Violence Against Women Act and develop training materials, such as briefing papers, model forms and codes, and a summary of laws affecting Native battered women.

Mississippi

Five Year VAWA Total: \$ 7,572,115

Five Year FVPSA Total: \$ 2,228,639

City of Greenville¹

Greenville, Mississippi

Funds will be used to continue to maintain the domestic violence unit with current personnel; continue the domestic violence task force; enhance collaboration among the judicial system, advocates, and law enforcement; provide legal advocacy; and train law enforcement personnel.

Mississippi Band of Choctaw Indians¹

Philadelphia, Mississippi

These funds will be used to develop and strengthen tribal justice system strategies to address violent crimes against Indian women and improve victim services. The Mississippi Band of Choctaw Indians will hire a prosecutor to specialize in domestic abuse cases. The attorney will revise the tribal code and instruct tribal law enforcement officers and health care workers on their duties under the revised code. The attorney will also work with tribal housing personnel to develop a strategy to establish a safe house for abused women and their children. In addition, a self-defense class will be made available to women on the reservation.

Missouri

Five Year VAWA Total: \$ 11,656,691

Five Year FVPSA Total: \$ 4,400,975

City of Independence¹

Independence, Missouri

These funds will allow the Independence Police Department to sustain its coordinated response to domestic violence in collaboration with the City of Independence Law Department and Hope House, Inc., a local nonprofit victim service agency. Funds will support the continuation of the specialized domestic violence team consisting of one detective, one assistant city attorney, and one program manager. In addition, the funds will allow Hope House to continue employing a victim advocate. Funds also will be used to develop a Domestic Violence Tracking System database program to track and report information related to incidents of domestic violence, its victims, and its perpetrators.

The University of Missouri¹
Office of Sponsored Programs
Columbia, Missouri

The University of Missouri School of Law, in collaboration with the University of Missouri's School of Medicine's Department of Psychiatry and Neurology and the Boone County Women's Shelter, will strengthen its family violence teaching and clinical program by funding law school and psychology faculty to co-teach a family violence seminar and an in-house legal clinic for law students. Seminar objectives will include: 1) an analysis of the goals, values, and decisions of lawyers and mental health professionals in dealing with domestic violence; 2) the dynamics of battering relations; 3) how the law manages domestic violence; 4) how the mental health profession treats domestic violence victims and abusers; and 5) the mechanics of collaboration and cross-referral.

Montana

Five Year VAWA Total: \$ 11,656,691

Five Year FVPSA Total: \$ 4,400,975

Fort Peck Assiniboine and Sioux Tribes¹
Wolf Point, Montana

The Fort Peck Assiniboine and Sioux Tribes will develop and strengthen tribal justice system strategies and victim service programs to address violent crimes against Indian women. Specifically, they will improve the coordination of crisis intervention and response through development of a database and a uniform standard reporting procedure. The database will be modeled on the network currently used by the tribes' drug court. Law enforcement and prosecution personnel will be trained on domestic violence dynamics and sensitivity. A prosecutorial advocate will be hired to assist the tribal prosecutor in case management and will provide legal advocacy to victims of domestic abuse and sexual assault. These funds will support a new domestic abuse specialist, who will prepare victims for court hearings and transport them to safety, as well as compile the database. Community partnerships will be strengthened through additional meetings between reservation service agencies and the various tribal grant teams.

Blackfeet Nation¹
Browning, Montana

The Blackfeet Nation will develop and strengthen tribal justice system strategies to address violent crimes against Indian women and improve victim services. Specifically, they will continue to implement a protocol to prosecute domestic violence offenders. These funds will support training for law enforcement officers, tribal judges, court personnel, and direct service providers on the effects of domestic violence. These funds also will support increased services to victims, such as emergency shelter, legal advocacy, and crisis intervention.

City of Bozeman¹
Bozeman, Montana

The City of Bozeman will continue and expand the Gallatin Project, which is a collaborative effort among law enforcement officers, domestic violence professionals, victim/witness personnel, educators, health care providers, and child abuse workers in Gallatin County. The project will enhance existing services for domestic violence and child abuse victims and develop and implement a community protocol to meet the needs of victims in this rural county. The project will also develop early intervention and prevention strategies, increase victim access to safety and services, enhance law enforcement's response to and investigation of domestic violence and child abuse cases, and help empower Gallatin County's residents to work together to reduce domestic violence. Grant activities include: continuing community education programs conducted by a law enforcement officer, victim/witness assistant, legal advocate and children's advocate; providing supervised visitation services; implementing a cellular phone program for victims; and enhancing communication between agencies via the Internet.

Nebraska

Five Year VAWA Total: \$ 5,537,559

Five Year FVPSA Total: \$1,615,341

Creating Safer Communities: Improving Nebraska's Response to Domestic Violence (Statement from Nebraska Domestic Violence Sexual Assault Coalition)

Statewide, Nebraska

During the Past three years, several communities across Nebraska have significantly improved the criminal justice and advocacy response to domestic violence and sexual assault. Thanks to the support made available through the Violence Against Women Act STOP Grants administered by the Nebraska Crime Commission, some of the important changes that have been made have included the following: 1) Implementing enhanced advocacy programs whereby victims are contacted immediately after a custodial arrest to be given information and support; 2) Changing the bond schedule in domestic violence cases to require a defendant appear before a judge before being released; 3) Implementing case management teams who meet on a regular basis to review cases to ensure policies are being adhered to; 4) Tracking offenders from time of arrest through completion of probation to ensure the offender is sanctioned for any further use of violence or failure to adhere to the terms of probation; 5) Establishing specialized investigative units within law enforcement agencies and hiring para-legals to assist county attorneys in preparing domestic violence cases for prosecution; and 6) Operating batterer intervention programs and working to establish consistency between these programs across the state.

Nevada

Five Year VAWA Total: \$ 7,632,490

Five Year FVPSA Total: \$ 1,600,000

State of Nevada¹

Carson City, Nevada

This VAWA funded project will allow Nevada to develop a statewide electronic protective order registry that will provide immediate access to information regarding the validity of a protective order on a multi-jurisdictional basis. The goal is to enhance victim safety and offender accountability through development and implementation. Benefits will include timely and consistent verification of protection orders by law enforcement agencies and improved access to an offender's history of violence by the court. Because the protective order registry will be connected to a newly developed Nevada Criminal History Repository, additional arrest and disposition information will also be available. The project will also create a multi-disciplinary project team to oversee the development, implementation, and evaluation of the project: develop electronic links between pilot project courts and criminal history records repositories; and develop and implement an available statewide electronic protective order registry.

Fallon Paiute Shoshone Tribe¹

Fallon, Nevada

In addition to continuing current activities, the Fallon Paiute-Shoshone Tribe will use VAWA funds to establish a court advocate position and a court ordered batterer re-education program. The tribe also will utilize the revised law and order code to improve court and police procedures and protocols regarding violent crimes against women. The tribal prosecutor will collaborate with the domestic violence prevention program to revise testimony procedures, sentencing guidelines, probation and parole procedures, and court-ordered batterer intervention to ensure that all practices and protocols maximize victim safety and offender accountability.

Inter-tribal Council of Nevada¹

Reno, Nevada

The Inter-tribal Council of Nevada will develop and strengthen tribal justice system strategies to address violent crimes against Indian women and victim services. Specifically, they will increase prosecution of perpetrators in domestic violence cases in tribal courts throughout Nevada. These funds will support the training of non-lawyer victim advocates to assist victims in tribal court prosecution. Legal advocates will also coordinate with tribal law enforcement agencies to develop uniform reporting procedures to collect accurate statistics on domestic violence incidents. These funds will also support increased services to victims, such as emergency shelter services, transportation assistance, a local referral system, and crisis intervention.

Nevada Office of the Attorney General¹

Carson City, Nevada

The primary goal of Nevada's Rural Domestic Violence and Child Victimization project is to enhance victim safety and perpetrator accountability by developing strategies for the effective implementation of the full faith and credit provision of

the Violence Against Women Act. To accomplish this, the state plans to make information about the full faith and credit provision accessible to communities statewide, encourage communities to identify what is necessary to implement full faith and credit, and provide a forum to facilitate problem-solving. In addition, Nevada will publish a manual outlining the strategies developed through this project.

New Hampshire

Five Year VAWA Total: \$ 5,205,057

Five Year FVPSA Total: \$ 1,600,000

New Hampshire Coalition Against Domestic Violence
Statewide, NH

VAWA funding has borne numerous new programs in the state. The coalition functions as a funding conduit for state and federal funds, so most of the victim services funds from VAWA are flowing through them. The STOP grants fund: 1) satellite offices/offices in outlying areas of rural catchment areas; 2) a new 800# crisis line; 3) the expansion of direct services staff; 4) civil legal services for victims, through Legal Assistance and through a pro bono project; 5) a SANE (Sexual Assault Nurse Examiner) coordinator, who has greatly expanded the SANE Program in NH; and 6) an annual, two day conference providing advanced training for professionals (police, judges, prosecutors, victim advocates, mental health, etc.) who work with victims.

Additionally, NH has received some discretionary VAWA funds including a Rural D.V. and Child Abuse grant which is used to fund battered women's advocates working with child protective services systems and with the abused mothers of children in the system. This project has been invaluable in created more effective working relationships between D.V. programs and Child Protective Services. In general, VAWA funding has increased community collaboration and has resulted in significant new programs, training and outreach for victims.

New Jersey

Five Year VAWA Total: \$ 15,226,864

Five Year FVPSA Total: \$ 6,572,986

Manavi¹⁰

With STOP funding, Manavi was able to increase by 78 percent the culturally specific services it provides to South Asian survivors of sexual assault and battered women. Manavi has translated outreach materials on violence against women into five South Asian languages (Bengali, Hindi, Tamil, Urdu, and Gujarati). A central function of Manavi is providing training to allied service providers about the challenges facing South Asian women who are victims of violence. Recent funding has supported the establishment of a legal clinic.

Passaic County¹

Paterson, New Jersey

The Passaic County Prosecutor's Office will continue and expand its centralized domestic violence unit established in 1997. The unit presently consists of one assistant prosecutor, one investigator, and one victim counselor. The unit is responsible for handling all non-contempt domestic violence complaints referred to the Passaic County Prosecutor's Office through vertical prosecution.

National Center for Protective Parents¹

Trenton, New Jersey

The National Center for Protective Parents' Women's Law Project, in collaboration with the local domestic violence programs, provides legal representation to underserved women in Mercer County. These funds will allow the project to expand to reach underserved battered women in Burlington and Ocean Counties. The project also will collaborate with Rutgers Camden Law School to recruit and train pro bono attorneys to handle domestic violence cases and develop a victim-friendly family court manual in both English and Spanish.

New Mexico

Five Year VAWA Total: \$ 7,875,954

Five Year FVPSA Total: \$ 1,619,454

City of Albuquerque¹

Albuquerque, New Mexico

The City of Albuquerque will use VAWA funds to develop and implement a project to address domestic violence, with particular emphasis on responding to cases involving law enforcement officers. The Albuquerque Police Department will work with other agencies and domestic violence service providers to review the current policy on officers who batter. The Albuquerque Police Department Domestic Abuse Response Team (DART) will also hire additional domestic violence specialty officers

to increase the percentage of calls responded to. The District Attorney's Office will work collaboratively with DART on developing effective domestic violence prosecution strategies. In addition, victim advocacy services will be expanded to provide assistance to the population of approximately 30,000 Native Americans residing in the Albuquerque area.

Santa Fe County¹

Santa Fe, New Mexico

Santa Fe County will develop and implement a judicial oversight program to enhance offender accountability. In addition, the county will work with local law enforcement agencies and STOP Violence Against Indian Women grantees to develop an integrated network of service providers and criminal justice system agencies responding to domestic violence and stalking. Inter-jurisdictional cooperation will facilitate improved tracking of domestic violence cases and enforcement of protection orders. The county also will work with law enforcement agencies, the courts, and victim service providers to assist stalking victims. Santa Fe County will also develop policies and procedures to address the problem of police officers who are domestic violence perpetrators.

Pueblo of Taos¹

Taos, New Mexico

The Pueblo of Taos will use these funds to ensure timely adjudication of domestic violence cases and accessible, culturally appropriate services for victims. The tribal judge and victim advocate will work collaboratively with the Eight Northern Indian Pueblos Council, the New Mexico/Colorado Tribal Judges Association, and the Southwest Intertribal Court of Appeals to implement its Family Protection Code. The tribal judge and victim advocate will also coordinate training for all Pueblo of Taos tribal court staff and encourage the implementation of mandatory arrest policies in tribal police departments.

Third Judicial District Attorney's Office¹

Las Cruces, NM

The Third Judicial District Attorney's Office will develop a comprehensive response to domestic violence in Dona Ana County by expanding prosecutorial services for victims and partnering with the Domestic Abuse Response Team (DART) and La Casa Inc., the local battered women's shelter. Specifically, the Third Judicial District Attorney's Office will enhance victim services, provide on-call assistance to police officers responding to domestic violence cases, offer legal advocacy training for victim advocates, and prosecute misdemeanor and felony domestic violence cases.

Morning Star House, Inc.¹

Albuquerque, NM

Morning Star House, Inc. is a non-profit organization that will establish culturally appropriate services for the population of over 30,000 Native people residing in the Albuquerque area. The primary project goals are to increase the community's awareness of domestic violence and child victimization issues, identify and coordinate existing services, and improve collaboration among service providers and the criminal justice system. To accomplish these objectives, Morning Star House will develop and implement five programs: the Morning Star Advocacy Program, the Inter-Agency Collaboration program, the Training Institute, the Resource Center, and the Media Campaign.

Pueblo of Zuni¹

Zuni, NM

The Pueblo of Zuni will use these funds to provide accessible, culturally appropriate counseling and advocacy services to women and children who are victims of violent crime. Specifically, funds will be used to provide trained shelter staff to assist victims 24 hours-a-day, provide transportation for battered women to ensure they can access needed services, and purchase safety/emergency equipment for the shelter. The Pueblo of Zuni aims to establish an environment of zero tolerance for domestic violence and child victimization by rigorously prosecuting those crimes.

New York

Five Year VAWA Total: \$ 36,545,785

Five Year FVPSA Total: \$ 15,017,434

Reduce Violence Against Elderly Women¹

The Westchester County District Attorney's Office is using STOP funding to create a comprehensive response to reduce crimes of physical and sexual violence against elderly women. The office has designated an Assistant District Attorney position in its Special Prosecutions Division to handle the vertical prosecution of cases involving elderly women. A full-time investigator has also been hired within the division to initiate sexual and physical assault investigations involving elderly women

and to assist local police in their assault investigations. The Project Prosecutor and Victim Advocate will work with local advocacy programs to train law enforcement officers regarding special issues in the investigation of these crimes to increase reporting of these incidents.

New York State Division of Criminal Justice Services¹
Albany, New York

The New York State Division of Criminal Justice Services will use these funds to create a more coordinated response to domestic violence in collaboration with five agencies: the Office for the Prevention of Domestic Violence, the New York State Police, the Office of Court Administration, the Coalition Against Domestic Violence, and the Division of Probation and Correctional Alternatives. The partnership will enhance the ability of these agencies to utilize incident data, as well as expand staff development and training opportunities. This project will expand the scope of the Bronx Domestic Violence Court, initiate research focusing on the impact of pro-arrest policies in rural communities, support educational programs for criminal justice professionals, initiate collaboration between advocates for battered women and representatives from child protection agencies, support train-the-trainer programs for victim service providers and criminal justice personnel, develop a curriculum for training prosecutors and officers, and provide educational sessions for judges.

Queens County Office of the Borough President¹
Kew Gardens, New York

With these funds, Queens County will continue to enhance the investigation and prosecution of domestic violence cases. This project builds on efforts already made by the Office of the Queens County District Attorney and Victim Services, a private not-for-profit victims service and advocacy provider, to improve the county's response to these serious criminal cases. The efforts include building coalitions with a diverse group of victims service advocates; use of specially trained prosecutors and support staff to handle domestic violence prosecutions; cooperation with the judiciary to ensure fair and effective dispositions in domestic violence cases; and coordination of efforts among police, prosecutors, the judiciary, and victim service advocates.

Westchester County¹
White Plains, New York

These funds will allow the Westchester County Probation Department to create a coordinated response to domestic violence in collaboration with the Office of the District Attorney, Iona College, the Four Winds Foundation, the Unified Court System, the Ninth Judicial District, and the Battered Womens' Justice Center at the PACE University School of Law. The Westchester County Probation Department will continue a specialized probation unit consisting of seven experienced officers and a supervisor. The program will develop advanced training on tactics of men who batter and related issues, judicial training through a judicial conference, and a bench book specifically designed for Westchester County.

New York State Division of Criminal Justice Services¹
Albany, New York

This project will strengthen services to victims while holding batterers accountable for their violent behavior. The New York State Division of Criminal Justice Services will hire two facilitators and two trainers; facilitate the development of local protocols utilizing the New York State Model Domestic Violence Policy for Counties as a guide; develop county task forces; sponsor meetings between bordering counties on interstate and intrastate enforcement of protection orders; develop inter-jurisdictional agreements to ensure full faith and credit for out-of-state orders of protection; offer training sessions on full faith and credit, protection order registries, and legal changes resulting from the passage of the Violence Against Women Act; and provide legal services to battered women living in rural areas through two STOP-funded law school clinics.

North Carolina

Five Year VAWA Total: \$ 14,260,830

Five Year FVPSA Total: \$ 5,963,378

Domestic Violence Protocol Summits¹²
Statewide, NC

In 1995, the North Carolina District Attorney's Association and the North Carolina Victim Assistance Network organized a three-day summit that brought a multi-disciplinary team from each of North Carolina's 39 prosecutorial districts to discuss domestic violence. While at the summit, the teams heard from national speakers about cutting-edge practices in the law enforcement, prosecution, and judicial responses to domestic violence. Every team included a judge, a magistrate, a district attorney, law enforcement officers, and victim advocates. Following this focused op-

portunity to coordinate their district's response to domestic violence, 12 districts have designated assistant district attorneys to work on domestic violence cases; some districts have developed local protocols describing how each discipline will handle these cases; and others have established domestic violence coordinating councils.

North Carolina Coalition Against Domestic Violence (NCCADV) Survey
NCCADV contacted programs around the state regarding VAWA funding. The results of the survey found that many programs have at one time or another received VAWA funding, which was utilized in many different ways. Agencies reported that as result of the loss of VAWA funding, many valuable positions were cut from their individual programs. One agency stated that VAWA funding had previously been used to conduct outreach within Latino communities. When funding had been depleted, the outreach could no longer be done. Various agencies stated that VAWA funding composed a large percentage of their budget. One agency in particular stated that if their program had not received funding, the county would have lost the only existing Domestic Violence Shelter.

North Dakota

Five Year VAWA Total: \$ 4,704,967

Five Year FVPSA Total: \$ 5,963,378

Turtle Mountain Band of Chippewa Indians¹

Belcourt, North Dakota

The Turtle Mountain Band of Chippewa Indians will develop and strengthen victim services and tribal justice system strategies to address violent crimes against Indian women. Specifically, they will staff a new shelter and coordinate victim services with a domestic violence investigator. The tribe will also enhance the capabilities of the computer network, linking all components of the criminal justice and victim services systems.

North Dakota Council on Abused Women's Services¹

Bismarck, North Dakota

This award will support the efforts of a tri-state project team, representing Montana, North Dakota, and Wyoming.

Projects include the dissemination of educational materials to clergy, cosmetologists, teachers, and other community members who interact with victims of domestic violence and child abuse; technical assistance and training for 13 reservations; and continued development of a clearinghouse of resources specific to the needs of rural jurisdictions. Goals include printing and distributing culturally appropriate posters in remote areas and on reservations and training National Park Service staff to respond to domestic violence and child victimization.

Tender Hearts Against Family Violence, Inc.¹

Fort Yates, North Dakota

Tender Hearts Against Family Violence, Inc., a non-profit corporation, is the only domestic violence program serving the Standing Rock Sioux Tribe. Funds for this project will support inter-agency collaboration on domestic violence and child victimization cases; increase victim safety and access to services; improve the investigation and prosecution of domestic violence and child victimization cases through increased training, equipment, technology, and support staff; enhance domestic violence prevention through prosecution policies that include sanctions for officers in non-compliance with the protocol; and identify methods for holding judges accountable for following the domestic abuse code.

Ohio

Five Year VAWA Total: \$ 20,978,361

Five Year FVPSA Total: \$ 9,212,635

City of Dayton¹

Dayton, Ohio

The City of Dayton will continue to build on county-wide efforts to develop a coordinated community response to domestic violence. The city will: 1) expand the police department's domestic violence unit; 2) monitor offense reports; 3) conduct follow-up investigations; 4) track all domestic violence cases and conduct periodic sweeps on outstanding domestic violence warrants; 5) provide outreach to victims to ensure safety; 6) provide domestic violence-specific training to the police department, the prosecutor's office, and victim advocates; and 7) develop and implement a community-based "Case Watch" program to provide feedback on protocol implementation.

Ohio Office of Criminal Justice Services¹

Columbus, OH

The Ohio Office of Criminal Justice Services is the State Administrative Agency for the STOP Violence Against Women Formula Grant Program. Ohio is federally recognized as a non-rural state, however, 29 of Ohio's counties are designated Appalachian. The goal of this project is to promote the safety of women and their children residing in Ohio's 29 Appalachian rural counties who are victims of domestic violence and child victimization.

Advocate for Basic Legal Equality, Inc.¹
Toledo, Ohio

Advocates for Basic Legal Equality, Inc. will strengthen civil legal assistance available to domestic violence victims in 13 counties of Northwest Ohio. Two domestic violence attorneys and one domestic violence advocate will be hired to serve domestic violence victims and to establish a new office to provide legal services to domestic violence victims in Wood County—the largest and poorest county in the legal services organization's service area. Attorneys will provide on-site legal assistance at six organizations throughout Northwest Ohio. Advocates for Basic Legal Equality, Inc., will cross-train staff on legal and domestic violence issues.

Oklahoma

Five Year VAWA Funding: \$ 10,285,412

Five Year FVPSA Funding: \$ 2,712,129

Community Crisis Center, Inc.

Miami, OK

This program is a current recipient of VAWA funding, through the S.T.O.P. funds distributed by the state of Oklahoma and through the Rural Domestic Violence and Child Victimization Enforcement Grant program. As a result of these funds, they have been able to: 1) provide counseling services by a Licensed Professional Counselor to women and children in the area at no cost to the client; 2) create a satellite office in one of the counties that they serve so that victim services are immediately available there; 3) provide leadership for two Family Violence Councils in two counties; 4) produce curricula and support training programs for local law enforcement in using Coordinated Community Response program, which will be led by the District Attorneys office to increase the chances of domestic violence arrests resulting in successful prosecution; 5) fund \$40,000 in badly needed equipment for law enforcement, prosecutors, and child protective services; 6) provide assistance in opening the Family Center by providing needed equipment for the facility. The center will provide services for abused and neglected children; and 7) train local agency personnel in the dynamics of domestic violence and the community response that is needed to combat it.

YWCA

Enid, OK

The YWCA of Enid, OK has received VAWA funding for 4 years. The first year VAWA supported a full-time Court and Law Enforcement Liaison. That grant facilitated the training of 34 law enforcement officers in a three county area and assisted 153 domestic violence victims with Protective Orders and courtroom advocacy. The second year, 80 law enforcement officers were trained and 248 victims were served. The third year the VAWA grant provided an additional full-time staff position - a Community Resource Developer. That year there were 6 in-service training programs provided to area hospitals and agencies, training 59 people about domestic violence. There were 14 volunteers trained and 963 resource booklets distributed to victims. There were 156 victims receiving criminal justice support and court advocacy and 25 law enforcement officers trained. As of 5/31/99, there have been 82 law enforcement officers trained in the area of domestic violence and the project has expanded to educate that many officers in sexual assault response. The VAWA money has markedly improved the response of law enforcement concerning domestic violence victims and coordination of services with the Crisis Center program. It has also improved the response from the DA's office, judges and court clerk's office. These staff persons helped form Enid's Community Domestic Violence Task Force three years ago and they have been active participants.

Oregon

Five Year VAWA Total: \$ 10,285,412

Five Year FVPSA Total: \$ 2,606,365

Klamath County¹

Klamath Falls, Oregon

These funds will allow the Klamath County District Attorney to create a more coordinated response to domestic violence in collaboration with the City of Klamath Falls Police Department, the Klamath Crisis Center, Klamath County Community Corrections, the Oregon State Police, and State Services to Families and Children.

Funds will support personnel for the Klamath County Domestic Violence Council, including prosecutors, city and county investigators, probation officers, victim advocates, clerical support, and a project coordinator.

Josephine County District Attorney's Office¹
Grants Pass, Oregon

This project will expand the activities of the Domestic Violence Intervention Team (DVIT), which consists of a full-time domestic violence specialist, court advocate, domestic violence investigator, deputy district attorney, victim assistant, and part-time project coordinator, shelter manager, victim counselor, and child advocate. Training efforts will be expanded to include presentations to emergency medical, court, and child protection services personnel. In addition, the DVIT will participate in community awareness activities with members of business, church, civic, and school groups.

Malheur County District Attorney's Office¹
Vale, Oregon

The District Attorney's Office will oversee projects that will expand the current activities of the Malheur County

Domestic Violence Team. Project funds will allow the only domestic violence shelter in the county to hire staff to provide victim services 24 hours a day. A Spanish-speaking mental health assistant will be hired to help therapists operating a court-ordered batterers intervention program. A Spanish-speaking victim advocate will provide services to female victims. A Family Protection Program counseling group for female victims of domestic violence will also be supported.

Lower Umpqua Victims' Services¹
Reedsport, Oregon

Lower Umpqua Victims' Services (LUVS) is the only local advocacy service organization available to domestic violence victims in Western Douglas County. LUVS will increase victim services by providing 24-hour crisis counseling, legal advocacy, emergency safe homes, support groups, information, referral, and case management. A community liaison will conduct community awareness activities and training on domestic violence. LUVS will also establish a Domestic Violence Council, which will be made up of representatives from the judiciary, law enforcement, prosecution, health care, the religious community, children and family services, and the schools. The Council's goal will be to establish a coordinated community response to domestic violence.

Pennsylvania

Five Year VAWA Total: \$ 21,489,089
Five Year FVPSA Total: \$ 33,712,471

Township of Bensalem¹
Bensalem, Pennsylvania

VAWA funds will allow the Bensalem Police Department to create a coordinated response to domestic violence in collaboration with victims advocates including A Woman's Place, National Organization for Victim Assistance, Libertae, and Betz-Dearborn. Funds will support continuation of a computer program to compile domestic violence-related arrests to include offender, victim, and arresting officer information, as well as case disposition. The grant will also allow the police department to employ a detective and domestic violence coordinator, and implement a pilot domestic response team. They will also provide community-based crisis shelter, child care, and transportation to victims to assure support for the victim in obtaining Protection From Abuse Orders and attend preliminary hearings and trials. Grant funds will allow participants to establish a protocol for the use of temporary crisis housing and transportation for women and children. In addition, the Bensalem Police Department will provide training and education for business and community groups about domestic violence in the work place.

Borough of State College¹
State College, Pennsylvania

These funds will allow the State College Police Department to hire a domestic violence coordinator to monitor police compliance with law enforcement domestic violence policy and track case outcomes through the judicial process. Funds will support training initiatives for new criminal justice staff and personnel, such as counselors and medical professionals, who assist with prosecution of domestic violence cases and offender accountability programs. Funds also will allow the domestic violence advocate from the Women's Resource Center to assist victims at domestic violence preliminary hearings. In addition, funds will be used to establish a domestic violence case management team that will provide one-stop victim assistance and serve as a forum for interagency discussion on victim safety and how to proceed on each case.

Puerto Rico

Five Year VAWA Total: \$ 8,283,364

Five Year FVPSA Total: \$ 2,503,134

Community Law Office, Inc.¹

San Juan, Puerto Rico

A collaborative effort among the Community Law Office, Inter-American University Law School, the Casa Protegida Julia de Burgos Shelter for Domestic Violence Victims, and Coordinadora Paz Para La Mujer (Peace for Women Coordinating Committee) will address the civil legal needs of domestic violence victims in the greater San Juan area. Goals of the project include: 1) formalizing a law school clinical program, which will operate out of the Community Law Office; 2) developing a curriculum on domestic violence issues for the law school; 3) creating a manual for advocates; and 4) providing free legal assistance to victims of domestic violence in all legal matters related to their violent circumstances, such as housing, employment, divorce, child support, and custody issues.

Rhode Island

Five Year VAWA Total: \$ 4,571,652

Five Year FVPSA Total: \$ 1,600,000

Rhode Island Governor's Justice Commission¹

Providence, Rhode Island

These funds will allow the Rhode Island Governor's Justice Commission to create a coordinated response to domestic violence in collaboration with the Rhode Island State Court Administrator, the Rhode Island Attorney General, the Rhode Island Department of Corrections, the Rhode Island Law Enforcement Training Task Force, the Rhode Island Coalition Against Domestic Violence, the Rhode Island Rape Crisis Center, the Women's Center of Rhode Island, the Women's Resource Center of Newport and Bristol Counties, the Women's Resource Center of South County, the Elizabeth Buffum Chace House, the Blackstone Shelter, and the Sojourner House. Funds will support: 1) continued training for Rhode Island police officers on the state's pro-arrest procedures; 2) court advocacy to the Kent County, Newport County, Washington County, and Garrahy courthouses; 3) intensive probation supervision of high-risk domestic violence offenders; and 4) the development and implementation of state-wide batterers' intervention program standards. Funds also will be used to upgrade computer capacity and staff training in eight agencies serving victims of domestic violence and sexual assault.

Rhode Island Governor's Justice Commission¹

Providence, Rhode Island

The Rhode Island Governor's Justice Commission will oversee a collaborative project implemented by the Rhode Island Coalition Against Domestic Violence and the Rhode Island Rape Crisis Center. The project will target rural communities in East Bay, South County, Western Kent County, and Northern Rhode Island. The goal of the project is to enable local collaborative teams to address rural domestic violence and child victimization and to extend services to victims living in rural communities. Four community partnership teams will be established to create and implement strategies to address the unique needs of their rural communities. Project funds will support satellite victim services programs, including counseling, legal advocacy, and programs for children who witness domestic violence.

South Carolina

Five Year VAWA Total: \$ 8,880,143

Five Year FVPSA Total: \$ 3,042,723

South Carolina Coalition Against Domestic and Sexual Assault (SCCADVASA)

Statewide Coalition based in Columbia, SC

Through a grant from VAWA, the South Carolina Coalition Against Domestic Violence and Sexual Assault provided training for sexual assault nurse examiners (SANEs). The four-day intensive training was provided free of charge to any registered nurse (particularly trauma nurses) in good standing who is committed to providing services for victims of sexual assault. Training took place in four different locations throughout South Carolina. In all, 75 nurses were trained, and two SANE programs have been implemented. Most SANE programs are housed in hospital emergency departments and are part of a multi-disciplinary team of professionals typically known as SART (Sexual Assault Response Team). SART includes law enforcement, prosecutors, hospitals and rape crisis centers. SANEs are specially trained to collect evidence and conduct sexual assault exams. In doing so, victims avoid long and often painful waits, are more likely to report assaults to law enforcement, and prosecutors are more likely to get convictions. As more nurses complete

their clinical and community requirements, SCCADVASA is confident that more SANE programs will be implemented, particularly in rural counties.

Acercamiento Hispano de Carolina del Sur¹
Columbia, South Carolina

Hispanic Outreach of South Carolina, Inc. will expand its domestic violence prevention program to include the development and implementation of a legal assistance program for victims of domestic violence. A senior attorney will be hired to provide direct, culturally appropriate representation to Hispanic battered women in civil cases directly related to domestic violence. The attorney will also establish a pro bono program that involves the domestic violence victim advocacy community and relevant bar associations and will provide training, supervision, and mentoring of volunteer attorneys. The project will provide counseling for Hispanic domestic violence victims. In addition, the program will develop educational materials, geared to the Hispanic community, with information about the legal consequences of domestic violence. The project attorney and staff will work with local public organizations to increase awareness about domestic violence.

South Dakota

Five Year VAWA Total: \$ 6,783,879

Five Year FVPSA Total: \$ 1,600,000

Rosebud Sioux Tribe¹

Rosebud, South Dakota

VAWA funds will allow the Rosebud Sioux Tribe, through collaboration among the Rosebud Sioux Tribal Court, the Rosebud Sioux Law Enforcement Services, and the White Buffalo Calf Woman Society, Inc., to enhance its coordinated response to domestic violence. The Rosebud Sioux Law Enforcement Services will continue to operate its domestic violence unit and provide training for police officers on domestic violence investigations and the department's mandatory arrest policy. The Rosebud Sioux Tribal Court will continue to serve civil and legal court documents relating to domestic violence and will continue to maintain a data base on domestic violence perpetrators, cases, and protection orders. In addition, training will be provided to all court personnel on domestic violence case tracking and management.

South Dakota Coalition Against Domestic Violence and Sexual Assault¹

Pierre, South Dakota

The South Dakota Coalition Against Domestic Violence and Sexual Assault will strengthen services to victims while holding batterers accountable for their violent behavior. The project will connect domestic violence service programs through technology to help reduce the impact of geographic isolation; establish more comprehensive services in remote areas; improve services for traditionally underserved populations; provide legal technical assistance to service providers; and offer specialized training to advocates, prosecutors, law enforcement officers, and judges. The Coalition will develop plans to initiate procedures and policies for inclusion of tribal court protection orders in the state central registry. Project products include two training manuals for rural and legal advocates, public awareness brochures for women requiring resources, and an updated law enforcement agency booklet.

White Buffalo Calf Woman Society, Inc.¹

Mission, South Dakota

The White Buffalo Calf Woman Society project will strengthen services to victims throughout the Rosebud reservation while holding batterers accountable for their violent behavior. The project will enhance victim safety in the more isolated areas of the Rosebud reservation; develop and provide services for children victimized by domestic violence; hire a shelter-based children's advocate; provide training for service providers; provide outreach advocacy; and create a satellite office to serve as a police substation and safehouse. The project will also develop a network of volunteers to respond to police requests for victim assistance; publish resource information for victims, victim service providers, and the general community on the dynamics of domestic violence; and develop a parenting curriculum.

Tennessee

Five Year VAWA Total: \$ 12,762,235

Five Year FVPSA Total: \$ 4,347,053

City of LaVergne¹

LaVergne, Tennessee

VAWA funds will allow the LaVergne Police Department to coordinate the development of a district-wide coalition team representing all agencies within the Sixteenth District that have contact with victims and perpetrators of domestic violence. The coalition will develop uniform policies and procedures for the representing agencies to improve and measure services provided. The coalition also will identify and

address weaknesses in the implementation of the Domestic Violence Communication Network. A permanent instructor cadre will be formed to provide domestic violence training to all members of coalition agencies.

Shelby County Government¹
 Memphis, Tennessee

Shelby County will use these funds to continue a collaborative effort among the District Attorney's Office, Shelby County Pre-Trial Services, Shelby County Victims' Assistance Center, and the YWCA of Memphis Abused Women's Services program to enhance judicial monitoring, accountability of abusers, and the victim advocacy performed in the domestic violence court. The program will continue to emphasize training on handling domestic abuse cases for law enforcement and judicial personnel.

Tennessee Department of Finance and Administration¹
 Nashville, Tennessee

Tennessee plans to improve domestic violence services in 23 rural counties. The project will establish satellite offices where full-time outreach workers will provide direct victim services; educate local church, school and community groups; and form coalitions among law enforcement officers, court personnel, and social service providers. The Tennessee Task Force Against Domestic Violence will design, implement, and manage the project; subcontract with 15 existing domestic violence programs to hire and supervise outreach workers to serve 23 rural counties; and provide training and technical assistance to the outreach workers.

Texas

Five Year VAWA Total: \$ 34,663,446

Five Year FVPSA Total: \$ 15,543,232

Dallas County¹

Dallas, Texas

VAWA funds will allow the Dallas County Task Force to continue ensuring arrests and prosecution of domestic violence offenders, provide counseling and support to victims, and ensure that victims have access to protective orders. Funds will support the addition of staff attorneys and prosecutors.

Texas Office of the Governor - Criminal Justice Division¹
 Austin, Texas

The State of Texas will continue to fund three projects: the Bastrop County Women's Shelter, the Wintergarden Women's Shelter, and Fannin County. The Bastrop County Women's Shelter serves victims of domestic violence, sexual assault, and child abuse in Bastrop, Fayette, Lee, and Colorado Counties. The project will expand outreach and services to child and teen victims of abuse and assist in providing a coordinated response to child victimization. The Wintergarden Women's Shelter serves a four-county rural area adjacent to the Texas-Mexico border and will continue to train law enforcement officers; develop standard community protocols; train the community and a range of professionals on domestic violence; and enhance coordination of resources. The Fannin County project will continue to support a full-time prosecutor to handle domestic violence and child victimization cases and to participate in public events and training seminars to raise awareness of these crimes.

Utah

Five Year VAWA Total: 6,213,994

Five Year FVPSA Total: \$ 1,718,137

Cache County Attorney's Office¹³

Cache County, UT

In the seven years prior to hiring a part-time prosecutor to specialize in the prosecution of adult sexual assaults, Cache County, the fourth largest jurisdiction in the state, did not charge a single sexual assault case. Since designating a sexual assault prosecutor, the office has established innovative pretrial strategies and emphasized victim/witness preparation, and the caseload has grown. At the end of 1997, the office was handling more than 60 active cases, and 80 percent of victims whose cases are charged participate actively in the prosecution of their cases due to victim-centered prosecution practices.

City of Orem¹
 Orem, Utah

The City of Orem, in collaboration with the Department of Public Safety, will implement a program to enhance services to children who have witnessed domestic violence or who are victims of physical or sexual abuse. The city will hire a Child Victim Advocate to provide referrals, support services, and ongoing assistance to the

child victim through the criminal justice process. The Child Victim Advocate will work closely with the Victim Assistance Coordinator who works with victims of domestic violence and sexual assault. In addition, the Victim Assistance Program will provide information and training to faith community leaders, community groups, local businesses, and school faculty about services available to children and the effects of domestic violence and child abuse on children.

City of Provo¹

Provo, Utah

The Family Crisis Center project will strengthen services to victims while working to hold batterers accountable for their violent behavior. A part-time crisis response team leader will train and coordinate 21 team members from five counties to provide immediate advocacy and intervention to victims. A part-time education coordinator will develop brochures and information packets detailing community services provided by the Family Crisis Center, as well as distribute this information to the rural community via schools, businesses, and the media. A part-time bilingual case manager and translator will be hired to provide outreach services to the Hispanic community and work with Hispanic victims of domestic violence.

Provo, Utah¹

The Provo Police Department will enhance its Victim Assistance Program (VAP). VAP will update police department policies and procedures to guide officers in responding to domestic violence incidents, develop an automated system to track domestic violence cases, and hire a Licensed Clinical Social Worker to provide short-term counseling to victims. The Provo Police Department also will establish a substation in a high-risk neighborhood staffed by a Domestic Violence Unit consisting of two police officers, a victim assistant, social worker, and clerical staff, along with staff from other agencies providing services to domestic violence victims. In addition, the project will institute a fatality review team to assist in handling deaths resulting from domestic violence and to make death notifications.

Vermont

Five Year VAWA Total: \$ 6,899,443

Five Year FVPSA Total: \$ 1,600,000

Northwest Unit for Special Investigations¹⁴

St. Albans, VT

With STOP funds, the Northwest Unit established a multi-disciplinary approach to the investigation of adult sexual assault and domestic violence cases. By linking victims with advocacy programs at the time of the initial report, the Unit finds that more victims get needed services and support and thus participate in the investigation and subsequent prosecution. The State's Attorney's Office, which as designated a prosecutor to participate in the Unit, has implemented a new protocol for the prosecution of domestic violence cases. The protocol and multi-disciplinary approach are credited with an 80 percent conviction rate in domestic violence and sexual assault cases.

Vermont Network Against Domestic Violence and Sexual Assault (VNADVSA)

Statewide Coalition located in Montpelier, VT For years, Legal Services in Vermont had been underfunded, and Vermont Legal Aid (VLA) was unable to represent victims of abuse in Abuse Prevention Act proceedings or in many custody cases. Advocates were, therefore, forced to spend countless hours trying to find pro bono attorneys, often unsuccessfully. LAW, a VAWA funded project, funds 4 half-time attorneys at VLA to respond to the family law needs of victims identified by advocates in local domestic violence programs. After 26 years of providing services to domestic violence victims in Vermont, at last advocates have a dependable resource for many of the desperate survivors needing legal help. SAEPP is a VAWA-funded program which has allowed children around the state to gain knowledge and skills needed to become healthy adults. Over 1,500 children in FY 98 participated in workshops on topics such as Dating Violence, Date Rape Drugs, Healthy Boundaries, and Sexual Harassment. Advocates have developed creative approaches to the challenge of helping students cope and develop the necessary skills to achieve healthy relationships. As a whole, VAWA has increased collaboration among the programs and agencies providing services to victims of abuse, thus greatly improving everyone's response to victims.

Virgin Islands

Five Year VAWA Total: \$ 2,605,364

Five Year FVPSA Total: \$ 303,740

Legal Services of the Virgin Islands¹

Christiansted, Virgin Islands

Legal Services of the Virgin Islands will partner with three domestic violence victim advocacy agencies to implement this project, which will strengthen advocacy and civil legal assistance services for domestic violence victims. The Women's Coalition of St. Croix, the Women's Resource Center (St. Thomas), and the Safety Zone (St. John) will collaborate with Legal Services to develop a training curriculum and manual for educating staff and Virgin Island Bar Association attorneys who volunteer to provide pro bono services for domestic violence victims. Advocates from the three domestic violence victim advocacy organizations will participate in screening and bi-weekly case reviews with project attorneys. In addition, a 24-hour legal assistance line will be established to allow victims immediate access to informed advice regarding their legal options and safety needs. Project staff will also develop informational brochures detailing legal remedies available to victims, conduct clinics for victims electing to represent themselves in civil court, and conduct legal clinics at locations in the community where battered women are likely to visit.

Virginia

Five Year VAWA Total: \$ 13,544,006

Five Year FVPSA Total: \$ 5,474,028

Virginia Beach Police Department¹⁵

Virginia Beach, VA

The Virginia Beach Police Department obtained a STOP Grant to hire two Domestic Violence Investigators to assist the Domestic Violence Unit after it noticed a sharp increase in the number of reported domestic violence cases. The Investigators build on the initial response of first responding patrol officers by applying state-of-the-art investigative techniques. Investigators work closely with local community-based victim service programs and the Commonwealth Attorney's Office. Since coming to the Unit in 1997, the Investigators have trained over 250 police officers regarding proper response to domestic violence cases. They have also assisted with over 900 cases.

City of Lynchburg¹

Lynchburg, Virginia

VAWA funds will allow the Lynchburg Police Department to continue implementing mandatory or pro-arrest

programs and policies. Funds will enhance a computer case management tracking system to ensure communication between police, prosecutors, and criminal courts. Funds will support a domestic violence coordinator position within the Lynchburg Police Department and a multi-disciplinary team composed of a prosecutor, police officer, YWCA domestic violence prevention program member, and probation officer. Funding also will support the creation of a cross-disciplinary training curriculum and certification standards for those involved in domestic violence prevention. In addition, funds will support continued training of Lynchburg police officers and domestic violence prevention advocates on what is needed for successful prosecution and the unique dynamics involved in supervising domestic violence defendants.

Washington

Five Year VAWA Total: \$ 15,161,

Five Year FVPSA Total: \$ 4,505,574

City of Longview¹

Longview, Washington

VAWA funds will allow the Longview Police Department to hire one sergeant, one detective, and one civilian investigator to assist with the increased domestic violence caseload and expedite protection orders. Funds will also support a clerical position to assist victims and a part-time crime data systems analyst to track crimes and offenders. In addition, funds will support a victim/legal advocate who will provide critical support for victims as an employee of the Emergency Support Shelter and will work from the Longview Police Department's Highlands satellite office.

City of Seattle¹

Seattle, Washington

These funds will be used to strengthen legal service programs for victims of domestic violence. Community driven initiatives addressing violence against women among diverse, traditionally underserved populations will include outreach to non-English speaking communities and translation of materials for their use. The City of Seattle will also establish specialized units of law enforcement, prosecution, probation and parole, and judicial officials to investigate domestic violence cases. A computer tracking system will be developed to ensure communication among police, prosecutors, and criminal and family courts. In addition, to ensure victim safety and offender accountability, the project will provide training and education for judges

and others responsible for judicial handling of domestic violence cases in family, criminal, and tribal courts.

City of Spokane¹
Spokane, Washington

These funds will allow the Spokane Regional Domestic Violence Team to strengthen law enforcement, prosecution, probation, parole, and judicial responsibility for domestic violence cases. Funds will help strengthen legal advocacy service programs for victims of domestic violence and misdemeanor prosecution team investigations. In addition, funds will support the development of a computer tracking system and enhance collaboration of police, prosecutors, and criminal and family courts.

Puyallup Tribe of Indians¹
Tacoma, Washington

These VAWA funds will allow the Puyallup Tribe to establish a computer data tracking system, which will enable a comprehensive approach to domestic violence case management. Funds will support the development of tribal court policies and procedures and training on these protocols, sentencing guidelines, sensitivity to victims, tactics of abusers, and the effect of domestic violence on children. Funds also will be used to develop a domestic violence court review process, improve collaboration between domestic violence advocates, and provide a system-wide referral process for social and judicial agency staff. This will increase prosecution and conviction rates in domestic violence cases and provide improved service delivery by judicial and social programs.

Washington Department of Community, Trade and Economic Development¹
Olympia, Washington

The State of Washington will continue to improve the handling of domestic violence cases by rural and tribal court judges. In addition, the State will develop two new projects. The first project will improve outreach and services to Hispanic women in rural areas by hiring a community services liaison to assist Hispanic women in accessing community resources for victims of domestic violence and an attorney to represent Hispanic victims of domestic violence in family law matters. The second project will develop a coordinated community response to domestic violence on Vashon Island and decrease the impact of geographic isolation by enhancing victim services, establishing a safe home network, increasing the availability of transportation off the island, providing intensive community education, and training law enforcement officers and advocates.

West Virginia
Five Year VAWA Total: \$ 5,520,748
Five Year FVPSA Total: \$ 1,641,744
Calhoun County STOP Team¹⁶
Calhoun County, WV

A coordinated community response team was created in Calhoun County, a mountainous rural area with virtually no services for domestic violence victims, until STOP funding arrived. Team members include a specialized prosecutor, County Sheriff's officers in a rural police department substation, a full-time victim advocate, and several community volunteers. The team offers legal advocacy, court accompaniment, increased law enforcement response, and increased prosecution of offenders. In its first year of funding, the team served 142 women victims of domestic violence who previously would have had little chance for legal recourse.

City of Charleston¹
Charleston, West Virginia

These funds will allow Charleston, Kanawha County, and the State of West Virginia to create a coordinated response to domestic violence through a collaborative effort involving the Charleston Police Department, the West Virginia Supreme Court of Appeals, the West Virginia Department of Public Safety (State Police), the West Virginia Coalition Against Domestic Violence, the Kanawha County Prosecuting Attorney's Office, and the Charleston Public Safety Council. The project will add the Kanawha County Family Law Masters, the Kanawha County Circuit Clerk's Office, and the Kanawha County Adult Probation Department to the communication system, which connects the Charleston Police Department, the Kanawha County Prosecuting Attorney's Office, and the Kanawha County Magistrate Court System. Additionally, the West Virginia Supreme Court of Appeals, the West Virginia Department of Public Safety (State Police), and the West Virginia Coalition Against Domestic Violence (in conjunction with the other project partners) will plan, develop, and implement a "Statewide Domestic Violence Wants and Warrants System." The system will permit cross-jurisdictional enforcement of all protection orders.

Appalachian Research and Defense Fund, Inc.¹

Charleston, West Virginia

The Appalachian Research and Defense Fund will coordinate with the Tug Valley Recovery Shelter and the Women's Resource Center to provide legal information and representation to battered women. Support staff, who will also serve paralegal and advocate roles, will be supervised by two Appalachian Research and Defense Fund attorneys. The attorneys and support staff will work on site at the shelters. Cross-training sessions will be held for Appalachian Research and Defense Fund and participating shelter staff on legal and domestic violence issues.

Wisconsin

Five Year VAWA Total: \$ 12,972,361

Five Year FVPSA Total: \$ 4,236,827

Dane County¹

Madison, Wisconsin

Dane County will use these funds to continue and expand the centralized domestic violence database and risk assessment project, thereby enhancing its overall criminal justice system response to domestic violence. Specifically, the county proposes to: 1) expand specialized domestic violence prosecution and advocacy; 2) create a court and community-based legal advocacy program in its community policing precincts; 3) develop a specialized pre-trial offender monitoring process for perpetrators identified as elevated-risk; and 4) train law enforcement personnel, prosecutors, the judiciary, child protective services, and emergency medical staff on implementing effective arrest policies. Training will center on recognizing and responding to an array of violent crimes against women, including domestic violence, stalking, child abuse connected to domestic violence, and protection order violations.

Milwaukee County¹

Milwaukee, Wisconsin

With these grant funds, Milwaukee County will continue to provide funding for three assistant district attorneys and three victim liaisons. Additionally, nonprofit, non-governmental victim advocacy services will be made available on weekends. The grant will enhance implementation of Wisconsin's mandatory arrest law for perpetrators of domestic violence by ensuring thorough investigation and evidence-gathering, proper case preparation and on-going contact with victims in domestic violence cases.

Wisconsin Office of Justice Assistance¹

Madison, Wisconsin

This project will benefit rural areas in Wisconsin, including Native American and migrant farm worker communities. Project activities include the following: 1) conduct a needs assessment of the rural counties of Ashland, Bayfield, Burnett, Forest, Jackson, Juneau, Menominee, Monroe, Polk, Sauk, Sawyer, Shawano, Vilas, and Wood that received video-recording equipment as part of the first phase of funding to determine the availability and current use of dedicated child interview rooms, as well as deterrents to establishing such rooms; 2) enhance services to migrant and Hispanic families living in rural counties by training community leaders and involving teenagers as volunteers in the provision of services; 3) enhance three rural satellite program offices to ensure continuing services to abused women; and 4) expand the Domestic Violence Public Awareness Campaign developed and tested by the Wisconsin Department of Health and Family Services to rural areas and migrant camps, with an emphasis on those counties and tribal areas with new satellite programs.

Wyoming

Five Year VAWA Total: \$ 3,614,382

Five Year FVPSA Total: \$ 1,600,000

Cheyenne, Wyoming¹

The Cheyenne Police Department and Safehouse/Sexual Assault Services, Inc. will collaborate to develop comprehensive domestic violence prevention and intervention services in order to enhance victim safety and hold perpetrators accountable for their criminal actions. The Program will include implementing specialized training protocols and policies on domestic violence and creating a Domestic Violence Patrol/Advocate Unit in the Cheyenne Police Department. This Unit will enhance the availability of prevention services, support services, crisis intervention, transportation of victims to shelters, and long-term follow-up for victims and their families in both the city of Cheyenne and the County of Laramie. The Program will also develop a centralized information tracking system for domestic violence cases for use by criminal justice and victim services agencies.

Wyoming Coalition Against Domestic Violence and Sexual Assault¹

Laramie, Wyoming

The Wyoming Rural Outreach Program will create a coordinated community response to domestic violence and child victimization. Every community in Wyoming, including the Wind River Reservation, will receive training and technical assistance for each of its domestic violence and sexual assault programs. Efforts begun under the Tri-State project by the Wyoming Coalition to enhance training for 4-H leaders, the clergy, health care providers, cosmetologists, and rural service providers statewide on domestic violence and child victimization identification, intervention, and prevention skills will continue. On the Wind River Reservation, a culturally specific media campaign will be developed and implemented. Media materials, protocol booklets, and recommendations for systems improvement will be distributed throughout the state.

ENDNOTES

1. Violence Against Women Grants Office Web page. Department of Justice. 12 July 1999. <<http://www.ojp.usdoj.gov/vawgo/>>
2. Burt, Martha R., Lisa K. Jacobs, Adele V. Harrell, and Lisa C. Newmark. 1998 Report: Evaluation of the STOP Formula Grants Under the Violence Against Women Act of 1994. July 1998. The Urban Institute, p. 67.
3. Id. at 52.
4. Id. at 68.
5. Id. at 45.
6. Id. at 52.
7. Id. at 21.
8. Id. at 69.
9. Id. at 24.
10. Id. at 44.
11. Id. at 47.
12. Id. at 13.
13. Id. at 26.
14. Id. at 27.
15. Id. at 23.
16. Id. at 53.

Mr. SCOTT. Ms. Campbell, you had mentioned the choice in some areas of going to State court and Federal court. We have gotten into some difficulty by trying to get Federal jurisdiction over what are essentially State cases. We got reversed on the Lopez decision.

I am not sure if you are aware, the Supreme Court just took the case on the civil part involving the Virginia Tech situation on the question of whether or not there was a Federal interest.

Are there any parts of the criminal or civil statute that need to be amended to make sure that we have jurisdiction, where we take jurisdiction, and where we forego and not encourage people to get into Federal court when we in fact have no jurisdiction and can get into complicated litigation problems for having reached too far?

Ms. CAMPBELL. I don't think so. The criminal offenses are very narrowly tailored. I think you should consider them as gap fillers.

The wonderful thing that has happened, however, as a consequence of having them is that the U.S. Attorneys and their staffs—we have a VAWA point of contact in each U.S. Attorney's office—are becoming much more collaborative with the State and local law enforcement and prosecutorial network. That is a very good thing. There actually are more VAWA cases, more domestic abuse cases brought than the VAWA numbers suggest, because the U.S. Attorneys and the local prosecutors are meeting and deciding, should we make this a Federal case or is there a better remedy in State court? It is a good dialogue that is happening.

But I am very sure we are safe on the jurisdictional grounds.

Mr. SCOTT. Okay.

I think either Ms. Alexander or Ms. Fulcher might respond to this. In Virginia we have a program called PRIDE. I don't know what the E stands for, but it is Police Response in Domestic something or other. It is basically a court that deals with a lot of—sets up a special day and deals with domestic cases and tries to deal with them from the criminal justice side, but also in counseling and requiring counseling as a condition of not going to jail.

Are those effective?

Ms. FULCHER. I would just respond that those kinds of coordinated court programs are actually happening throughout the country as well. Generally this was something that was very much needed, but was not really possible to implement in most communities until VAWA funding was made available to do it.

The problem is that when you are dealing with something like domestic violence, you are definitely dealing with criminal law, but you are also dealing with civil law, you are also dealing with family law. There are a whole lot of issues that are involved in that particular situation. Unless the justice system is able to somehow coordinate their response to this particular family, they are not going to be able to have much of an impact.

As a matter of fact, oftentimes we were finding prior to these combined court systems that one judge would be entering one order, a different judge would be entering a different order. Sometimes there would be three or four orders in existence that actually conflicted with one another. It is simply because each courtroom did not have the entire body of information in front of them. They only knew a piece of the puzzle.

So generally what we are seeing is that communities that have been able to establish these combined court systems have been able to give a lot more thorough response and a lot more consistent response to given cases of domestic violence.

Mr. SCOTT. A final question, and this is basically a funding bill, we have a lot of different programs with a lot of different amounts of money. Are we spending the money on the right priorities?

I notice that shelters get the largest amount of money, and I would assume that that is an appropriate priority. What about the other priorities? Are there things we ought to be spending more money on or less money on?

Ms. ALEXANDER. I would like to make one pitch, since nobody grabbed the microphone. I mentioned data, and I know we are spending a significant amount of money.

I do not think—I don't think data collection should come at the expense of direct services, but I think as long as we can all exist in ignorance, that it is a disincentive to give the kind of public attention that needs to be given to this issue, and to publicize what is happening in our criminal justice system or what is not happening, both the good and bad, and, in too many cases the ugly. So I think that clearly has to continue to be and should be an increased priority.

Ms. CAMPBELL. I have to say that, at the risk of sounding greedy, we are very, very grateful for the money that has been dedicated to fighting violence against women, and for the incredible bipartisan support that we have had. We could spend 10 times as much, but I do want to assure you that we are spending this money really

wisely. The bulk of the money goes to States, and then on down to communities.

It is absolutely heartwarming to me to hear stories like Ms. Alexander's and the kind of stories that I hear all across the country, and which I have included in our written testimony.

This money is making a difference. It is certainly transforming the justice system. But we have only just begun. We still have a very long way to go.

Mr. CHABOT. Okay. We want to thank the panel members for their very excellent testimony here this morning, and their responses to our questions. Your testimony is a very important part of our decision-making process on how to spend the appropriate levels of money in this very important area. No question, domestic violence and violence against women is at levels that it should not be at, and it is our responsibility to do what we can to reduce those levels and hopefully to eliminate them, but that should be our goal. Thank you for your role in that process.

We will be calling our second panel here relative to the Stalking Prevention and Victim Protection Act of 1999.

I would like to note the presence of the principal sponsor of that bill, the gentlewoman from New York, Mrs. Kelly. If she would like at this time to give a brief statement relative to her bill, or anything you would like to say about it, Mrs. Kelly.

Ms. KELLY. Thank you very much, Mr. Chairman.

I would like to thank you, Mr. Chairman, for holding today's hearing on the Stalking Prevention and Victim Protection Act of 1999. This legislation addresses a problem of increasing prevalence in the Nation.

While stalking is perhaps most popularly regarded as a crime to be dealt with by celebrities with bodyguards, and fortress-like estates, that is simply not the case. According to statistics released by the Justice Department, over 1 million women and over 370,000 men are victimized by stalkers every year. These estimates greatly exceed previous estimates and clearly indicate a need for the legislative redress.

My legislation builds on an important anti-stalking law enacted in 1996. The Interstate Stalking Punishment and Prevention Act, which was introduced by my colleague, Congressman Ed Royce, marked a significant stride in the effort to stop and prevent stalking as it established for the first time Federal penalties for interstate stalking.

My bill seeks to enhance the ability of law enforcement to arrest and prosecute stalkers by broadening the definition of stalking to include interstate communications such as e-mail and mail.

Furthermore, by criminalizing threatening behavior as opposed to the demonstration of specific threats, this bill closes a loophole commonly used by stalkers to avoid prosecution. This bill also includes bail restrictions and enhanced sentencing provisions for repeat offenders, along with the requirement that a mandatory protection order be issued for the victim.

I have seen firsthand the horrible effects wrought on the lives of innocent people by stalkers. I have met people who face each day with an overwhelming fear for their safety, people whose spirits have been worn down by an undaunted menace.

Congress has to do more to protect these people, and I see this legislation as an important step in that direction. I certainly hope that my colleagues will agree with me, and I once again thank you and this committee for providing a forum of discussion for the Stalking Prevention and Victim Protection Act.

Thank you very much for letting me speak.

Mr. CHABOT. Thank you very much for your statement, and for introducing the bill.

At this time I would like to introduce our second panel. We will have three members of that panel. I am pleased to welcome Dr. Robert Fein, a forensic psychologist for the U.S. Secret Service, who specializes in stalking behavior and threat assessment. He has served as a member of the National Institute of Justice's Resource Group that developed a Model Anti-Stalking Code for States under a mandate from Congress.

Dr. Fein was a Visiting Fellow to the National Institute of Justice on stalking and threat assessment, and has written extensively on the topic. Welcome here this morning, Dr. Fein.

Mr. FEIN. Thank you.

Mr. CHABOT. Our second witness is Jayne Hitchcock. Ms. Hitchcock is a writer and college instructor who was the victim of interstate stalking, including cyberstalking. She is here today to tell us what happened to her and how the law enforcement authorities responded to that stalking. We welcome you here, Ms. Hitchcock, this morning.

Our third and final witness is David Beatty, Director of Public Policy for the National Center for Victims of Crime since 1988. The National Center has served as the national clearinghouse on the issue of stalking since 1991.

Mr. Beatty has served as a member of the National Institute of Justice's Resource Group that developed a model in this country of codes for States under a mandate from Congress. Currently he serves as senior project adviser for technical assistance grants sponsored by the Department of Justice, which is designed to develop a comprehensive, multidisciplinary approach to stalking.

We welcome all the members of the panel, and at this time I guess we will hear from Mr. Fein, or Dr. Fein.

STATEMENT OF ROBERT FEIN, FORENSIC PSYCHOLOGIST, UNITED STATES SECRET SERVICE

Mr. FEIN. Good morning. My name is Dr. Robert Fein. I am a forensic psychologist who has worked on questions involving interpersonal violence for the last 25 years.

Currently I work in the United States Secret Service's National Threat Assessment Center. Several years ago I had the privilege of serving on the Anti-Stalking Resource Group of the National Criminal Justice Association.

Together with experts on stalking such as Secret Service Special Agent Bryan Vossekuil and Mr. David Beatty of the National Center for Victims of Crimes, I spent many hours discussing how best to draft legislation that might provide effective tools to law enforcement professionals with the responsibilities to investigate and intervene in cases of stalking behavior.

We ultimately drafted the Model Anti-Stalking Code for States, a version of which has been enacted in many States across the country.

I am here today to speak about H.R. 1869. This bill makes a number of changes in the Federal anti-stalking statute, which in my opinion would significantly strengthen current law.

I want to speak specifically about three important changes embodied in this bill.

First, H.R. 1869 strengthens the Federal anti-stalking law. It would broaden the behavior base of anti-stalking legislation. This is a major and significant shift.

We in the Secret Service have spent the last several years conducting an operational analysis of the motives, planning activities, and communications of all persons known to have assassinated, attacked, or come close to attacking a prominent public official or public figure in the U.S. in the last 50 years. This study, the Secret Service Exceptional Case Study Project, has taught us that assassination is the end result of an understandable and often discernible pattern of behavior.

Stalking, like assassinations, is a form of targeted violence, a situation in which there is a known perpetrator and a target. Like assassinations, stalking and the violent outcomes sometimes associated with stalking cases, includes a pattern of behavior. Changing the language of anti-stalking legislation from a focus on travel to a proscription on conduct that results in individuals' reasonable fear is consistent with what we are learning about stalking and stalkers. Behavior is key.

We in the Secret Service encourage those with protective and preventative responsibilities for targeted violence to distinguish between making a threat and posing a threat. We become concerned about persons whose behavior suggests that they may pose a threat to a particular target but who never make a threat. That is, they may follow a target, they may make efforts to get weapons, and they may engage in what we call attack-related behaviors, without ever saying or writing the words, "I am going to kill you."

H.R. 1869's focus on behavior removes what may have been seen by some as a requirement that a stalker make a threat or make some other communication that overtly indicates intent. Stalkers may engage in a range of behaviors which cause fear in a target and which may indicate movement along a path to attack. A behavior seemingly as innocuous as sending flowers, which sends the message "I know where you live and I am tracking you," may be part of a pattern of stalking.

H.R. 1869's focus on behavior, in my opinion, makes it more likely that authorities will be able to intervene more effectively in stalking cases.

Second, H.R. 1869 speaks to the question of bail for someone charged with stalking. We often assume that arrest and arraignment will cause a person who is engaged in wrongful conduct to desist. Unfortunately, this may not be true in certain stalking cases. For such a stalker, particularly a stalker with a history of violence directed against the current target, arrest might be understood as, "if I make bail, I have one more chance to get him or her before they put me away."

After arrest, in a case like this, the stalker may become more dangerous. In such a case, bail may cause the stalker to conclude, "I should attack now, because I have nothing to lose." I believe that the question of whether bail is appropriate should be carefully examined in any stalking case.

Third, H.R. 1869 creates an automatic permanent protection order to be entered on conviction. We have much to learn about the thinking and behavior of persons who engage in stalking. There is a great deal that we simply do not know. But one thing we do know is that some stalkers remain interested in their targets for months and months and sometimes for years and years. Arrests, court orders, hospitalization, incarceration, supervision, may in some cases interrupt or even stop stalking behavior, but some stalkers persevere in their unwelcome and often malevolent interests in a target. These stalkers resume stalking behavior at the first opportunity.

An extended protection order will not of itself stop such behavior, but it will provide law enforcement authorities with an important tool that permits intervention with a stalker even after a sentence has been completed.

Thank you for affording me the opportunity to talk with you today. I will be glad to try to answer any questions that you may have.

Mr. CHABOT. Thank you very much, Mr. Fein.
[The prepared statement of Dr. Fein follows:]

PREPARED STATEMENT OF ROBERT FEIN, FORENSIC PSYCHOLOGIST, UNITED STATES
SECRET SERVICE

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Stalking, like assassination, is a form of "targeted violence," a situation in which there is a known perpetrator and/or target. Like assassination, stalking - and the violent outcomes sometimes associated with stalking cases - includes a pattern of behavior. Changing the language of anti-stalking legislation from a focus on "travel" to a proscription on "*conduct* that results in the individual's reasonable fear. . ." is consistent with what we are learning about stalking and stalkers.

Behavior is key. We in the Secret Service encourage those with protective and preventative responsibilities for targeted violence to distinguish between "making a threat" and "posing a threat." We have become concerned about persons whose be-

havior suggests that they may pose a threat to a particular target but who never "make" a threat. That is, they may follow a target, may make efforts to get weapons, and may engage in what we call "attack-related" behaviors, without ever saying or writing the words, "I am going to kill you."

H.R. 1869's focus on behavior removes what may have been seen by some as a requirement that a stalker make a threat (or make some other communication that overtly indicates intent). Stalkers may engage in a range of behaviors which cause fear in a target and which may indicate movement along a path to attack. A behavior seemingly as innocuous as sending flowers (which sends the message "I know where you live and I am tracking you") may be part of a pattern of stalking. H.R. 1869's focus on behavior, in my opinion, makes it more likely that authorities will be able to intervene more effectively in stalking cases.

Second, H.R. 1869 speaks to the question of bail for someone charged with stalking. We often assume that arrest and arraignment will cause a person who has engaged in wrongful conduct to desist. Unfortunately, this may not be true in certain stalking cases. For such a stalker, particularly a stalker with a history of violence directed against the current target, arrest might be understood as "if I make bail, I've got one more chance to get her/him before they put me away." After arrest in a case like this, the stalker may become *more* dangerous. In such a case, bail make cause the stalker to conclude: "I should attack now, because I have nothing to lose."

I believe that the question of whether bail is appropriate should be carefully examined in any stalking case.

Third, H.R. 1869 creates an automatic permanent protection order to be entered on conviction.

We have much to learn about the thinking and behaviors of persons who engage in stalking. There is a great deal that we simply do not know.

But one thing we do know is that some stalkers remain interested in their target(s) for months and months, and sometimes for years and years. Arrests, court orders, hospitalization, incarceration, supervision, may in some cases interrupt "or even stop" stalking behavior. But some stalkers persevere in their unwelcome, and often malevolent, interests in a target. These stalkers resume stalking behavior at the first opportunity.

An extended protection order will not, of itself, stop such behavior. But it will provide law enforcement authorities with an important tool that permits intervention with a stalker, even after a sentence has been completed.

Thank you for affording me the opportunity to talk with you today. I would be glad to try to answer any questions that you may have.

Mr. CHABOT. We have a series of votes that we have just been called over-on the floor for, so we are going to recess at this time, go over and take those votes. As soon as the last vote occurs, we will come back and begin the hearing again with your testimony, Ms. Hitchcock.

At this point, we are in recess.

[Recess.]

Mr. CHABOT. The committee will come to order.

We have been requested to change the order of the witnesses just a little bit. We will hear from Mr. Beatty now and then from Ms. Hitchcock, if that is acceptable to the witnesses.

Mr. Beatty, I have been asked if you have to leave at a particular time.

Mr. BEATTY. No, I am fine.

Mr. CHABOT. Thank you. Mr. Beatty.

STATEMENT OF DAVID BEATTY, DIRECTOR OF PUBLIC POLICY, NATIONAL CENTER FOR VICTIMS OF CRIME

Mr. BEATTY. Thank you, very much. I would like to thank the acting Chairman and the members of this committee for inviting me to testify today in support of the Stalking Prevention and Victim Protection Act of 1999.

I would also like to extend a special thanks to Congresswoman Sue Kelly for introducing this very important measure.

I am David Beatty. I am the Director of Public Policy for the National Center for Victims of Crime, the nonprofit organization that works with all categories of crime victims. We have also served as a chief source of stalking-related information and technical assistance to the country for over 10 years.

In that role, the National Center has literally talked to thousands of stalking victims across the country. But there is one particular victim whose story I would like to share with you today. I think it really sums up the kind of impact that this crime has on an individual victim.

I spoke to her. Here is how she described her typical day. She said, Every morning I wake up wondering if this is the day that my stalker will kill me. I spend the entire day looking over my shoulder. Every time the phone rings, I jump. Every sound that I hear at night keeps me awake, and when I do sleep, I have nightmares of him. There is not a single moment in my day, awake or asleep, where I can escape my stalker, escape the fear.

As has been mentioned, unfortunately, there are 1.4 million Americans today who are indeed living in that shadow of fear, living with stalking day to day. While a majority of these cases occur in local jurisdictions, there are a very significant number that also occur on Federal lands and territories and across State lines.

As we will hear in a moment from someone who has experienced this firsthand, the current Federal law is not sufficient to adequately protect victims of stalking in Federal jurisdictions. I think the largest part of the problem is due to the fact that the current law is so narrowly drawn that it makes it very difficult, if not impossible, to prosecute these kinds of cases.

Specifically, we have mentioned the intent element today during testimony. I think that is a primary source of the difficulty. It specifically requires the prosecutor to prove a stalker specifically intended to injure or harass their victim. I think it is this very heavy burden that is the primary reason that we have seen so few Federal stalking prosecutions to date.

The proposed measure before us actually replaces this specific intent standard with a reasonableness standard, very similar to the one that was proposed by the model stalking statute mentioned before that was mandated as part of a congressional inquiry in 1993. This new standard would only require proof that the stalker knew or had a reasonable cause to believe that his conduct would place his victim in fear of their safety.

I truly believe that this standard will not only make prosecutions more practical, but indeed, in many cases, it will make prosecution possible for the first time.

The proposed language also removes a requirement that the stalking conduct in question involve travel. I think that specific element is one of the primary reasons that we have seen so few cases. That is simply due to the fact that there are many stalkers who do not have to travel. They use communications or other conduct that is really not related to travel to really effectually terrorize their victims.

A primary illustration of this is those stalkers who use the Internet, so-called cyberstalking. In a recent report from the Attorney General, Janet Reno, she cites an estimate that cases of

cyberstalking in the United States may number in the tens if not hundreds of thousands.

This proposed bill today will allow Federal prosecution of interstate cyberstalking cases for the very first time. But the bill goes far beyond cyberstalking as well. It will, in effect, allow prosecution of interstate stalking at the Federal level in the same way that prosecution is available at the State level. In effect, it will be closing one of the last refuges that stalkers have in this country where they can stalk their victims with impunity, or with very little fear of prosecution.

In addition, this act would give judges the power to deny pretrial bail to stalkers who have proven themselves to be a particular high risk to stalking victims by virtue of the fact that they have been previously convicted of a stalking offense or even a violent crime.

While I think this provision is important for the safety of all stalking victims, it is particularly important for the safety of those domestic violence stalking victims who often have to face their stalkers shortly after that individual has been arrested.

I am absolutely convinced that this provision that allows the denial of bail in the highest-risk cases will absolutely save the lives of countless stalking victims in the future.

Finally, this proposal provides for a permanent protective order against stalkers upon conviction. Currently victims have to go back time and time again to renew their orders or, in some cases, actually go and seek new orders. It is really not fair to ask these victims to bear an endless administrative burden of applying for these protective orders.

I think it is this last provision, perhaps more than any other, that really symbolizes what stalking victims want most. That is simply to be left alone. A Supreme Court justice once said that it is a fundamental right of citizens to indeed be left alone. I am convinced that the Stalking Prevention and Victim Protection Act of 1999 is a major step toward guaranteeing stalking victims that fundamental right.

Mr. Chairman, on behalf of the National Center for Victims of Crime, the 10,000 organizations that we work with, and the 1.4 million stalking victims in this country, I urge you and your colleagues to pass this very important measure.

If I could, as one final note, I also want to state for the record that the National Center strongly supports the Violence Against Women Reauthorization Act that is also under consideration at this hearing here today.

Mr. CHABOT. Thank you for your testimony here this morning, Mr. Beatty.

[The prepared statement of Mr. Beatty follows:]

PREPARED STATEMENT OF DAVID BEATTY, DIRECTOR OF PUBLIC POLICY, NATIONAL CENTER FOR VICTIMS OF CRIME

I would like to thank the Chairman and the members of the Subcommittee for inviting me to testify today in support of the "Stalking Prevention and Victim Protection Act of 1999." And I want to thank Representative Sue Kelly for introducing this important measure.

My name is David Beatty and I am the Director of Public Policy for the National Center for Victims of Crime, the nation's largest national non-profit organization serving victims of all crimes. The National Center has served as a chief source of

stalking-related information and technical assistance in the United States for nearly a decade.

The National Center receives thousands of calls from stalking victims on our toll-free line. One victim I spoke with gives us a glimpse of the impact this crime has on individual victims.

She said:

Each morning I wake up wondering, is this is the day I will die? I spend most of my day looking over my shoulder. I jump every time the phone rings thinking it might be him. I can't sleep at night listening for noises that he is in my house. When I do sleep my dreams are about being stalked and killed. There isn't a moment, awake or asleep that I can escape the fear.

Best estimates indicate that nearly 1.4 million Americans are living in the shadow of fear—the shadow of stalking. While a majority of cases occur within state jurisdictions, thousands of stalking incidents take place on Federal lands or across state borders. As we will hear from other members of our panel today, Federal law has failed to adequately protect stalking victims in Federal jurisdictions.

The current law is so narrowly drawn that it makes it difficult, if not impossible, to prosecute the crime of stalking in many cases. Specifically, the intent element of the current Federal law requires prosecutors to prove a stalker specifically intended to injure or harass the victim. This heavy burden may help explain why there have been so few stalking prosecutions at the Federal level.

The proposed measure replaces the specific intent standard with a reasonableness standard similar to the one recommended by a model stalking statute developed at the request of Congress in 1993. The new standard would only require that the stalker “knows or has reasonable cause to believe” that the conduct would place the victim in reasonable fear of injury or death. Such a standard will not only make prosecutions more practical, but in many cases, it will make prosecution possible.

The proposed language also removes the current requirement that the stalking conduct in question involve travel. This limitation effectively precludes prosecution in the very substantial number of federal cases where the stalker's strategy involves communication or other conduct that is not travel-related. Prime examples are cases that involve stalking over the Internet—so called “cyberstalking” cases.

A recent report from Attorney General Janet Reno cites an estimate that the cases of cyberstalking in the U.S. may number in the tens if not the hundreds of thousands.¹ Local law enforcement units that specialize in stalking indicate that more than 20% of their cases involve threats communicated by e-mail or other electronic means.² The proposed bill will allow for Federal prosecution of such interstate cyberstalking cases for the first time. I would also note that this broader scope language would specifically address the primary legislative recommendation in the Attorney General's cyberstalking report.³

However, the proposal reaches far beyond cyberstalking cases. It will, in effect, allow prosecution of interstate stalking cases on the same basis as those currently prosecuted at the state level. By so doing, it effectively removes one of the last sanctuaries where stalkers are still free to terrorize their victims without fear of prosecution.

In addition, the Act would give judges the power to deny pretrial bail to stalkers who have proven they pose a higher risk to their victims by virtue of a previous conviction for a violent offense. This provision is critically important to the safety of victims, particularly those who are victims of domestic violence stalking. All evidence indicates that such domestic violence stalking victims run a much higher risk of being assaulted or even killed immediately after the criminal justice system intervenes—i.e., when the stalker is arrested. Denying bail to previously convicted stalkers may well save the lives of countless stalking victims.

Finally, this proposal provides for a permanent order of protection against stalkers upon conviction. Currently, victims must renew such orders on a regular basis or seek new orders when they lapse. Stalking victims should not have to bear an endless administrative burden simply to protect themselves from their stalkers.

It is this last provision, more than any other, that symbolizes what stalking victims want more than anything else, and that is to be left alone, now and forever. A Supreme Court Justice once wrote that a citizen's most fundamental right is to be left alone. *The Stalking Prevention and Victim Protection Act* is a major step toward guaranteeing stalking victims that fundamental right.

¹ Cyberstalking: A New Challenge for Law Enforcement and Industry, A Report from the Attorney General to the Vice President. August 1999, pg. 7.

² Ibid.

³ Ibid. at pg. 13.

Mr. Chairman, on behalf of the National Center for Victims of Crime, the 10,000 victim organizations with whom we work, and the 1.4 million stalking victims in this country, I urge you and your colleagues to pass this critically important measure.

In conclusion, I would also like to state that the National Center strongly supports the Violence Against Women Act also under consideration today.

Thank you.

Mr. CHABOT. Ms. Hitchcock.

STATEMENT OF JAYNE HITCHCOCK VICTIM OF INTERNET STALKING

Ms. HITCHCOCK. I am going to try and not talk over anyone's head as I discuss what happened to me.

My name is Jayne Hitchcock. I am the victim of interstate cyberstalking. This is not something that is very well known to many people, but it did happen to me, and it happened in 1995 when practically no one knew anything about any kind of harassment or stalking on the Internet.

Mine began with what is called e-mail bombs, effectively sending so many messages to my e-mail box, it tried to shut it down. It went on from there where my name was forged on news groups, also known as message boards. There were messages that ranged from, This group is for idiots and morons, to sexually-related messages that said I was available for sex any time of the day or night, and listed my home phone number and home address, and we lived in Maryland at the time.

Soon after, I think it was the same day that the messages appeared, we began getting phone calls, 25 to 30 a day. We let the answering machine pick up. I got calls from as far away as Germany, and that is the point where I decided I had to call the police and ask for help, because the thought was, if these people are going to call me, then what is going to stop them from coming to the door looking for what I am supposedly offering?

When I contacted the local, county and State police, none of them had any Net knowledge, or did not feel that they were knowledgeable enough. I even went to the FBI, and they said that unless it was a threat of physical harm or I had been physically assaulted, there really was not much they could do. I was basically left on my own to find out who was doing this and what I could do as far as recourse.

I ended up turning to some friends on the Net who knew some other friends that could help me actually track down the messages to where they originated. It turned out that they were coming from New York, from a certain Internet service provider. We got enough evidence, and I found a lawyer in New York that was willing to represent me, because it was the first case of its kind. I ended up having to file a civil suit.

I work for the University of Maryland at University College. I still do, as a virtual instructor. Messages were forged in my name, to the university, saying that the professors there were a bunch of idiots, trying to get me fired.

I am a writer. Messages were sent to my literary agent trying to get my contracts canceled. Things started to happen in my off-line life, as well, where I began to speak about what happened to

me at the college campuses, and at one of the speaking engagements, I was followed in the parking lot.

We got an unpublished number. Soon after, about 3 or 4 months later, we began receiving phone calls. It turned out it was from the people who did this to me. It turned out to be three people, not one. I have never met these people, even to this day. My case is still ongoing.

Since then, I have helped pass online harassment-related laws in Maryland and New Hampshire. I am working on laws in other States. I have provided testimony for the California cyberstalking law. I am here, obviously. I work with a group called Women Halting Online Abuse. I am the co-president. It is primarily a Web site. It is an all-volunteer organization. There are four of us. We average over 100, maybe 200 e-mails a month from people who feel that they have been victimized on the Net and need help. We help them determine how serious their case is, and let them know where they can go for help.

I have also put together, and I have asked to have this be added to my testimony, an online harassment cyberstalking guidelines and resource for law enforcement. I have been working with local police departments in my area to train them on not only how to deal with victims who call them claiming that they have been stalked or harassed online, but also to help them track down the suspects, because there are still many, many police departments that do not know how to do this. I am hoping to eventually get this out to any police department that wants it.

All I can say is I really am in favor of this bill. I want to see it passed. I would be happy to answer any questions.

Mr. CHABOT. Thank you very much, Ms. Hitchcock.

Ms. HITCHCOCK. You are welcome.

[The prepared statement of Ms. Hitchcock follows:]

PREPARED STATEMENT OF JAYNE HITCHCOCK, VICTIM OF INTERNET STALKING

Chairman McCollum, members of the Subcommittee, my name is Jayne Hitchcock and I'm a victim of interstate cyberstalking.

Cyberstalking on the Internet comes in more forms than just e-mail—I should know—it started in 1995 in Maryland for me, beginning with hundreds of messages to my e-mail account (called e-mailbombs); my literary agent and the University of Maryland, where I worked, were also e-mailbombed. Then messages were sent to hundreds of newsgroups (similar to a message board)—none of which I subscribed to—forged in my name. They ranged from “This Group Is For Morons” to the one that scared me the most, “Hot For Lovebites,” found on sexually-related and controversial newsgroups, such as alt.bestiality, alt.politics.guns and alt.skinheads:

Female International Author, no limits to imagination and fantasies, prefers group macho/sadistic interaction, including lovebites and indiscriminate scratches. Invites you to write or call to exchange exciting phantasies with her which will be the topic of her next book. No fee or hidden expenses for talented participants. Contact me at misc.writing or stop by my house at 909 Truro Lane, Crofton, MD. Will take your calls day or night at (410) 4514057. I promise you everything you've ever dreamt about. Serious responses only.

Yes, my real phone number and address. I began receiving 25–30 phone calls a day from as far away as Germany, to “share their fantasies.” I was scared someone would come to the door. I felt like someone had broken in to my house, touched all of my things, didn't take anything and left—I felt violated and scared for my life.

I called the local police first—they couldn't help. They referred me to the police commissioner's office—they couldn't help. I called the FBI Computer Crimes Unit, who filed a report, but the U.S. Attorney General's office felt my case wasn't worthy of an investigation. With help from other online users who were more knowledge-

able than I, we tracked the stalkers down. My only recourse, as there was no law to protect me, was to file a civil suit.

What's so scary is who was stalking me—it turned out to be three people I'd contacted almost a year prior, in answer to an ad (spam) on a children's book newsgroup. They were located in New York and claimed to be a literary agency looking for new authors. I called them, sent my proposal and was asked for money for a reading fee. Agents don't charge reading, editing or other fees and I found out from other online writers that this "agency" was a well-known online problem. When writers who actually paid this "agency" money came to me for help, I contacted the NY Attorney General, who opened an investigation. After discovering who my harassers were, I realized it was in retaliation for the investigation.

But the cyberstalking didn't end with my civil suit—it escalated online and offline:

- a) UMUC received a letter "For Employment Purposes" from the defendants, asking for verification of employment, how much I made and my Social Security Number, making it look like they were going to hire me, but also opening the door for a possible identity theft;
- b) Libelous messages posted on newsgroups trying to make me look like I was crazy;
- c) I was followed to a speaking engagement at the University of Maryland University College;
- d) My lawyer received a telephone death threat: "If you don't drop the case, I'll (blank)-ing kill you."
- e) Complaints were filed about me with the Maryland State Attorney General, Maryland FBI and Maryland State Police by the defendants, claiming I was the stalker and trying to get me arrested;
- f) Neighbors I didn't even know were being called by these people to try to find out our new, unpublished phone number, claiming they were the media;
- g) A year to the day everything began, December 21, 1997, we received a phone call early in the morning. Upon doing Return Call, it was the defendant's phone number and we began receiving hang up phone calls after that; and
- h) Journalists who interviewed me, then tried to interview the defendants were either threatened with lawsuits or received death threats.

It got so bad, I had to see a psychotherapist to deal with my fears and paranoia, and finally my husband and I moved to New England, where we have an unpublished number and removed our name from public records and directories to keep our new location private. It hasn't worked. Less than a month ago, we began receiving hang-up phone calls, as many as a dozen a day for a solid two weeks. We had a trap put on the line, did phone trace and when we got the name of the telecommunications company the phone calls originated from, they told us they wouldn't give the policeman assigned to my case the information without a subpoena. My case is still pending—three years later. And I'm still scared because I don't know what these people will do next.

As a result of my experience, I helped pass an e-mail harassment bill in the state of Maryland, which took effect on October 1, 1998, provided written testimony for California's Cyberstalking law, and recently got an online harassment bill passed in New Hampshire (I'm now working on Maine). I've helped hundreds of people from around the world with similar problems as Co-President of W.H.O.A. (Women Halting Online Abuse), I'm a volunteer consultant for the Maryland State Police Computer Crimes Unit and the Justice Department's Office for Victims of Crime, as well as the Dover, NH police department anti-stalking unit, Kennebunk, Maine Police Department and other law enforcement agencies. I've developed a guidelines and resources pamphlet for law enforcement to use when a potential victim calls and help train anyone who wants to learn how to track down cyberstalkers—all at no charge.

Like typical stalkers, the people who did this to me have become obsessed with me, where I am and are trying to frighten me into dropping my civil suit against them. They haven't realized this only makes me more determined to not let them—or anyone else—get away with this kind of behavior.

I urge you to pass this bill, H.R. 1869, because cyberstalking is something I wouldn't wish on anyone. It can happen to anyone of any age or gender. Since most incidents happen in different states, a federal law will help law enforcement prosecute the offender who crosses state lines. Currently, it's hard to prosecute if you have a law in New Hampshire and the offender is in a state with no online harassment or cyberstalking law. Offenders can access computers at home, the office or even the local public library. We can't let this kind of abuse continue.

This is not a matter of free speech or a violation of the First Amendment. Harassment is harassment, period. Stalking is stalking, and cyberstalking needs to be made a federal crime before it gets out of hand and someone is murdered.

Mr. CHABOT. We will go to our 5-minute questioning.

If I could just follow up, Ms. Hitchcock, you said you had never met these individuals before.

Ms. HITCHCOCK. No.

Mr. CHABOT. Are they behind bars now? Are they still out there?

Ms. HITCHCOCK. There was no criminal charge that could be pressed against them. They seemed to know just how far to go without actually committing a crime. My lawyer received a death threat. I did not. Because nothing was really directed toward me or to physically harm me, I kept getting the answer, Well, we really cannot do anything for you.

Mr. CHABOT. Is the civil suit still pending?

Ms. HITCHCOCK. Yes, it is. It has been almost 3 years now.

Mr. CHABOT. You are probably a bit restrained on what you can say here, but did you ever find what the motivation was behind this attack on you?

Ms. HITCHCOCK. Yes. These people were supposed to be a literary agency. They were charging fees for services. Agents do not do that. I helped a group of writers who actually paid the money and were scammed, and went to the New York Attorney General's office and asked them, said, Look, these people need help. They opened an investigation. It was in retaliation for getting the investigation opened.

The Attorney General of New York did win the case.

Mr. CHABOT. Okay. Thank you very much. We certainly wish you the best with that. That sounds like a terrible thing to have to go through.

Ms. HITCHCOCK. Thank you.

Mr. CHABOT. Could either Mr. Beatty or Dr. Fein, could you address the fact that even though a person has not been—or a person that is being stalked, the victim of a stalking situation, the fact that even though they may not be physically assaulted, there may not actually be a battery of some sort or a weapon being used or anything else, the trauma that can be involved and what a person can actually suffer that may be far greater than a physical assault; the status of this, and how this bill would affect that?

Mr. BEATTY. I am not a forensic psychologist, and I am sure that Mr. Fein could speak in a little more psychological detail than I can, but I can certainly speak anecdotally.

I can tell you that many of these cases involve very long campaigns of terrorism, where these individuals have made it their life to place their victim in fear. That fear is power and control that they cannot—to establish a relationship that they cannot otherwise have on a legitimate basis.

I know victims who have literally had to give up everything. They have to give up and literally move away, change their names, change their identity, give up their right to vote, give up their right to have access to utilities and the like in an attempt to protect their identity so their stalkers will not relocate them again.

It changes everything. If you talk to stalking victims, they will tell you that there is nothing in my life that is not impacted by the

fact that I am a stalking victim. It really is a living nightmare, and one that you see crime victims in this circumstance often tell you that they suffer more emotional distress than victims who have actually been the victims of completed violent crimes.

Mr. CHABOT. Dr. Fein?

Mr. FEIN. I would defer. I think Mr. Beatty has stated it eloquently.

Mr. CHABOT. Ms. Hitchcock, if you would?

Ms. HITCHCOCK. I just wanted to add something. What David was just saying, we have since moved to northern New England. These people have evidently found where we are, even though we had our name removed from public records entirely when we moved.

As he said, it is more of a mental thing. When this initially happened to me, I had to go see a psychotherapist. I consider myself a pretty strong person, but this just invades every part of your life. You become totally paranoid, not knowing what they are going to do next.

Mr. CHABOT. Thank you.

My next question has to do with the nature of stalking itself and society. Is this a relatively new phenomenon that we are seeing? Obviously, the cyberstalking would be, but just stalking in general? I don't think it is something we heard much about some years ago. Was it going on then, but we just did not know about it? Could you address that particular issue?

Mr. BEATTY. As we often say, stalking has been with us as long as men and women have been on the Earth. We have only given it a separate and special name within the last 10 or 15 years. But those domestic violence individuals who work with domestic violence victims on a regular basis will tell you that stalking is almost inevitably a part of those cases which represent close to 75 percent of the entire caseload.

We have given it a new name. The kind of behavior we are talking about is often subsumed as part of domestic violence, but there are also many cases where stalking is the only aspect of the crime that is being committed. There was no previous relationship. But that also explains why the numbers are growing as well, not because there are simply more, but that we are simply labeling it for the first time.

Mr. CHABOT. Thank you. Would you address the stalking protective order that is a lifetime stalking protective order, as opposed to a temporary order, something for a short period of time, just briefly, because my time has expired as well?

Mr. BEATTY. Yes. Again, really, it is a tremendous burden. Many victims risk their own safety when they have to come back to the system to renew a protective order simply to keep their stalker away from them. So providing them with a lifetime protective order really is an attempt to carry out what those victims want most. That is simply to be left alone, without putting that administrative burden and putting their own safety at risk.

Mr. CHABOT. Thank you very much.

Mr. Scott?

Mr. SCOTT. Thank you, Mr. Chairman. Following up on that, the lifetime protective order in the bill provides for the order to continue until the victim comes in and asks for it to be relieved.

Does that put an undue burden on the victim, and give the stalker an incentive to hound the victim to go back into court?

Mr. BEATTY. I think it is that possibility. It is something we face in domestic violence cases all the time. We don't want to put the victim in the position where something they choose to do legally would create an opportunity for the stalker to try to threaten them into some sort of behavior.

Again, if the stalking order means anything, even an attempted contact of that victim would be an immediate violation. Due to the fact that you have a previous conviction, the Federal stalking law would then operate at a fairly high level to really create the opportunity for a second prosecution.

Mr. SCOTT. The bill provides for no discretion on bail. Is that overreaching? Because there are some situations where you can have a fight between two spouses, and they both end up with a conviction. It gives the other spouse the opportunity to make an allegation that would result in jail until a trial figures out what happened. Should not the judge have some discretion on bail?

Mr. BEATTY. I think that is something worth exploring. Clearly, the intent here is to allow the judge—give the judges the tools they need in those cases that represent the highest risk to victims, to protect them in that short period of time between arrest and trial, which is again sort of the highest risk time for victims.

Mr. SCOTT. Unfortunately in our judicial system, you are dealing with an allegation that may not even be true, and without any discretion at all, would that possibly cause a problem?

Mr. BEATTY. I would welcome the opportunity to talk to you about that. Others have expressed a similar concern. I am sure that the intent of that provision could be reached with perhaps something short of making it absolutely mandatory.

Mr. SCOTT. Any time we deal with Federal legislation, we have to establish the need for the Federal legislation. Ms. Hitchcock has indicated the Internet as one area where State laws may be insufficient. I assume you have kind of alluded to the availability of Federal resources, where you have interstate stalking. What is the difference between the language in this bill and language in the various State laws?

Mr. BEATTY. What we are actually trying to do is create the same kind of jurisdiction on the same basis that you see other States establishing the definition of the crime in the first place. We are actually trying to bring Federal jurisdiction up to the same level that those protections are available in the States. Again, it is intended for Federal territories, lands, military, Indian territories, where it is appropriate.

Mr. SCOTT. Are the State laws insufficient to deal with those?

Mr. BEATTY. I think the State laws have a ways to go as well. Obviously, when you are talking about new crimes like cyberstalking, we need to either expand or explicitly state that the laws as they exist were intended to cover that as well. But they actually are ahead of the curve in terms of the definition at the Federal level.

Mr. SCOTT. I was in the State legislature when we passed our State law in Virginia, and one of the challenges you indicated, with the present Federal language it is difficult to prosecute, unfortunately; if you are too vague, it is impossible to prosecute. And you end up with getting cases thrown out because a statute was constitutionally vague and did not describe the prohibited behavior so that someone would know when they are breaking the law and when they are not.

Have any of the State laws been challenged on vagueness?

Mr. BEATTY. They have been. What is interesting about this is the language that we have proposed here comes from a model statute that was specifically created to address that issue and to pass constitutional muster. Many States since the passage of that model have gone back and adjusted their language to address the very issues that you mentioned.

Mr. SCOTT. Has this language specifically been tested in court?

Mr. BEATTY. I believe variations of it. I can't say that a State that has word for word the exact definition, but there have been versions of it that have been tested and withstood constitutional scrutiny.

Mr. SCOTT. Thank you, Mr. Chairman.

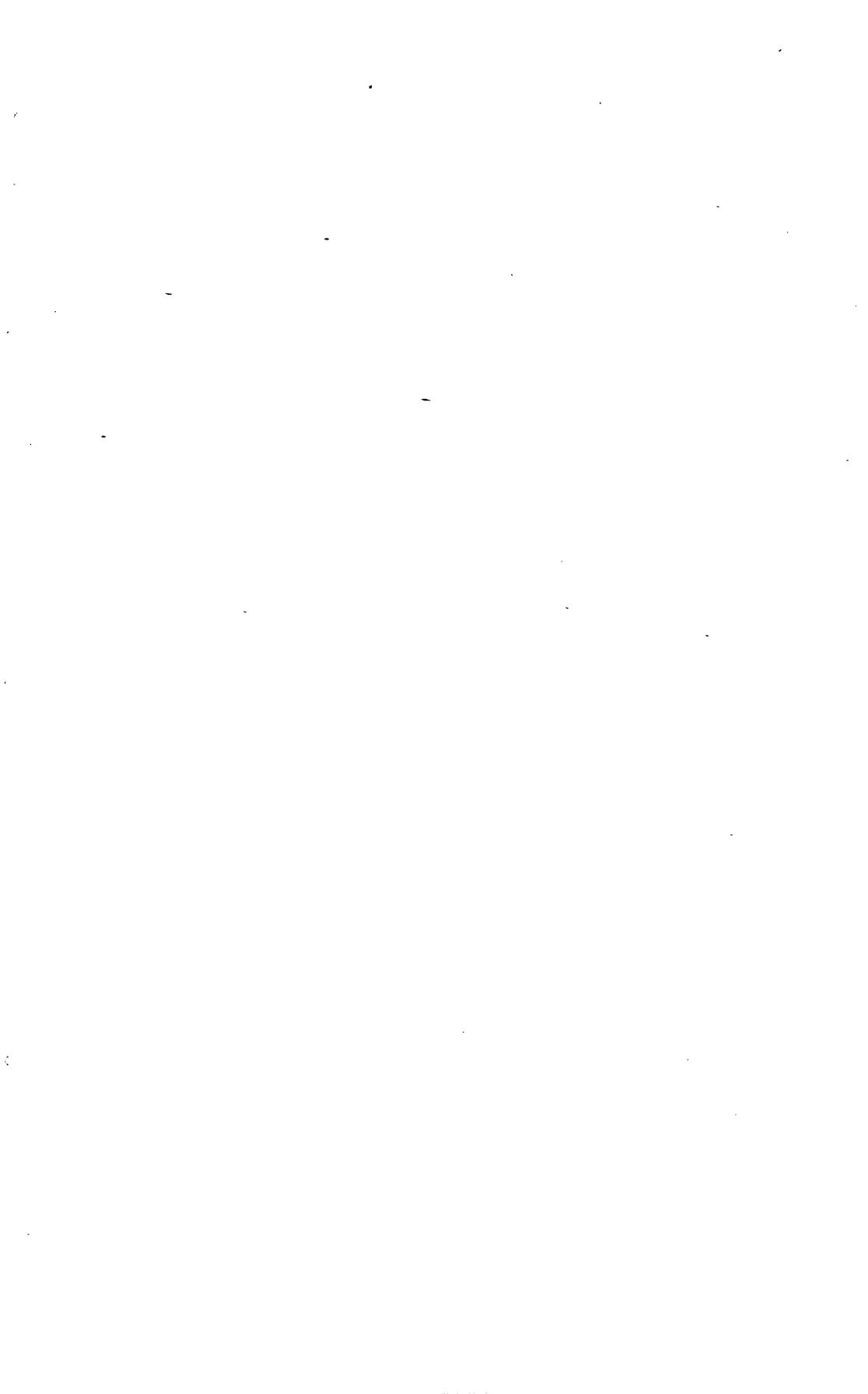
Mr. CHABOT. Thank you. And I believe that is all the questions we have then here this morning. I want to thank the panel.

And, Ms. Hitchcock, we wish you the best in your situation. It sounds like it was a terrible thing to go through, and I hope that you ultimately are able to resolve this.

Ms. HITCHCOCK. I hope so, too. Thank you.

Mr. CHABOT. Thank you very much. And we are adjourned.

[Whereupon, at 12:01 p.m., the subcommittee was adjourned.]



APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF HON. SHEILA JACKSON LEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Thank you, Mr. Chairman. I am pleased to be here today for the hearing on these two pieces of legislation that deal with violence against women. Next month is National Violence Against Women Month, and it is very appropriate that we are having this hearing today. Domestic violence and stalking are serious issues that deserve the full attention of this Congress.

Domestic violence affects women of all cultures, races, occupations, and income levels. In fact, approximately one-third of the men counseled for battering are professional men who are well respected in their jobs and communities.

The dynamics of domestic violence can be as subtle as a verbal attack or as overt as murder. Battering instills a sense of control and fear in a victim through a series of behaviors that include intimidation, threats, psychological abuse, isolation and physical violence.

Nationwide, one out of every four women of all women are battered at some point in their lives. Every fifteen seconds a woman is beaten. Domestic violence is the leading cause of injury to women between the ages of 15 to 44. Close to 22 to 35 percent of the women who visit emergency rooms are there for injuries related to domestic abuse.

Violence against women destroys families, takes the lives of women and their children, and it traumatizes the young people who witness it. Children who witness violence at home often display emotional and behavioral disturbances. Child abuse is 15 times more likely to occur in families where domestic violence is present.

It is well documented that children who witness violence in the home grow up to repeat the same patterns as adults. Men who have witnessed their parents' domestic violence are three times as likely to abuse their own wives.

The tragedy of violence against women is not just a personal problem-it is a community crisis. Violence against women has many economic ramifications including health care costs, employment, housing, and social and legal services.

Medical expenses from domestic violence total at least \$3 to \$5 billion each year. This includes costs for emergency room care and hospitalization, mental health counseling, substance abuse treatment, and health care costs for children. Businesses lose up to \$ 100 million a year in lost wages, sick leave and absenteeism. It is estimated that 25 percent of these workplace problems are due to domestic violence. Battered women suffer from lost productivity due to illness, inability to concentrate and frequent absenteeism.

Housing is another significant economic concern. Because many women are economically dependent on their batterers, shelters are vital to assist these women with some form of transitional housing. The first shelter opened in St. Paul, Minnesota twenty years ago and is still open today. Currently, there are 1 500 shelters for battered women.

The criminal justice and the legal system are also affected by incidents of domestic violence. Frequent reports to police and appearances in court are common. Most police reports and court appearances are due to abusers who stalk their victims.

Stalking is an extreme form of intimidation for many women and it contributes to many of the social problems often associated with domestic violence.

Although domestic violence affects women across all racial and economic lines, a high percentage of these victims are women of color. African American women account for 16 percent of the women who have been physically abused by a husband or partner in the last five years. African American women were the victims in more than 53 percent of the violent deaths that occurred in 1997.

Immigrant women are also vulnerable to domestic violence because of the jeopardy of their immigrant status that is exacerbated by economic dependency. Also many immigrant women are dependent on their abusers for legal status.

The Violence Against Women Act (VAWA) of 1994 was the Congressional response to the growing problem of domestic violence. VAWA created new criminal enforcement authority and it enhanced penalties to combat sexual assault domestic violence in federal court.

Congress has authorized approximately \$700 million for grant programs to state and local law enforcement agencies for education, prevention and outreach programs. VAWA programs have increased victim services across the country.

An example of the importance of this legislation is the impact that VAWA grants have had on services in the local community. In Houston, we have the Houston Area Women's Center which operates a domestic violence hotline, a shelter for battered women and counseling for violence survivors. The center provides all of its services for free.

Over 34, 000 women in Houston called for counseling services in 1997 for family violence. This counseling included services for women with children and teenage who have also survived violence. The shelter housed 1,062 women and children and assisted close to 2,000 with other forms of services.

Organizations like the Houston Area Women's Center are vital to women in need of assistance and services. VAWA must be reauthorized in order for these programs to continue.

In addition to VAWA, I believe that the stalking legislation is also very important. Stalking is an important issue of safety for women who have been the victims of domestic violence.

We have all heard the stories of women who were successful in leaving their abusers only to be killed later by a man who just would not leave her alone. These men use various tactics of torment, and this legislation to prevent and prosecute stalkers is crucial to protecting those women who left.

As we commemorate National Domestic Violence Month, I urge my Colleagues to support these efforts to help eradicate violence against women. Thank you.

