

**TURNING THE ACT  
INTO ACTION**



**THE VIOLENCE  
AGAINST WOMEN LAW**

Senator Joseph R. Biden Jr.  
United States Senate  
October 1994

# ***TURNING THE ACT INTO ACTION -- THE VIOLENCE AGAINST WOMEN LAW***

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\* PROGRAM FUNDING BEGINS IN FISCAL YEAR 1995

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\* PROGRAM FUNDING BEGINS IN FISCAL YEAR 1995

## INTRODUCTION

***"THE VIOLENCE AGAINST WOMEN ACT REPRESENTS A NATIONAL CONSENSUS THAT WE WILL NOT TOLERATE HAVING OUR MOTHERS, OUR SISTERS AND OUR DAUGHTERS BEATEN AND ABUSED BY THE MEN WHO PROFESS TO LOVE THEM"***

-- Senator Joseph R. Biden, Jr.  
Chairman, Senate Judiciary Committee  
On September 13, 1994,  
the day The Violence Against Women Act became law

In the making for over four years, The Violence Against Women Act is finally law. Now it is time to turn the Act into action. Beginning in 1990, through a series of hearings and reports, the Senate Judiciary Committee studied the kinds of crimes -- namely rape and family violence -- that disproportionately burden women. What we learned is that our society and our criminal justice system routinely ignore and dismiss this violence, with tragic consequences for women, for their children, and ultimately for all of us.

What we learned, as documented in the hearings and reports listed at the end of this manual, literally staggers the imagination:

- \* One-fifth of all the aggravated assaults in the United States occurred in the home;
- \* Three to four million American women a year are victims of family violence;
- \* One-third of all American women who are murdered die at the hands of a husband or boyfriend;
- \* One third of all women who go to emergency rooms in this country are there because of family violence;
- \* An estimated 700,000 American women are raped each year (includes reported and unreported rapes);
- \* Children in violent homes are 1500 times more likely to be abused or neglected;
- \* Crimes against women are rising at a significantly faster rate than total crime: during the past 10 years, rape rates have risen nearly three times as fast as the total crime rate;
- \* 98% of the victims of rape never see their attacker caught, tried or imprisoned;

- \* Over half of all rape prosecutions are either dismissed before trial or result in an acquittal;
- \* Almost one quarter of convicted rapists never go to prison; another quarter receive sentences in local jails where the average sentence is 11 months: This means that almost half of all convicted rapists can expect to serve an average of a year or less behind bars.

The disparity in how our system treats family violence and prosecutes rape, in contrast to other violent crime, mirrors the disparity in our society's attitude towards these acts. The American legal system has always treated cases of assault by a stranger on our streets as a serious crime. But violence that primarily targets women has too often been dismissed without response. Where the victim knows the perpetrator, there is a tendency to consider the crime a product of a private relationship, not a matter of public injustice. Even where the violence comes at the hands of a stranger, the victim of sexual assault is too often seen not as an innocent target of intolerable criminal acts, but as a participant who somehow bears shame or even some responsibility for the violence.

We must stop blaming the victim for her assault -- focusing on her behavior instead of her attacker's. We must stop discounting violence that occurs between people who know each other. We must change our justice system's response to violence that occurs when a man terrorizes a woman -- whether a stranger or someone he is supposed to love. More than any other factor, the attitude of our society that this violence is not serious stands in the way of reducing this violence. This attitude must change.

### *The Violence Against Women Act*

To help the needed change happen, we now have a significant new tool. The legislation is the first comprehensive approach to fighting all forms of violence against women, combining a broad array of legal and practical reforms. The new law makes a substantial commitment of federal funds -- \$1.62 billion over six years -- to combat family violence and sexual assault. This commitment sends those devoted to responding to and preventing this crime both needed new resources and the symbolic support of recognizing the priority of their mission. The grant programs are designed to change the way the justice system responds to family violence and sexual assault at every step along the way.

For example, too often we hear of police who refuse to take a report from a rape victim or who refuse to arrest an abusive husband; too often we hear of prosecutors who offer misdemeanor plea bargains to men who commit violent assaults and rapes; too often we hear of judges who fail to put men who attack women behind bars. The new law offers \$800 million over six years to help local jurisdictions set up special units of police, prosecutors, and victims advocates to provide a coordinated approach to combatting violence against women. In the words of one witness before the committee, such integrated units can provide a "user friendly place" to help overcome the unique

challenges of family violence and sexual assault cases -- a place where medical attention, safe housing, counseling, legal assistance are readily available from the first time a woman comes in contact with the system. An additional \$120 million is available to support adoption of mandatory arrest policies for spouse abusers; and \$600,000 is available in FY96 for educating and training state judges about violence against women.

Of course, the Act looks beyond the attitudes of law enforcement to shocking tolerance of this violence in our society. A 1988 study of junior high school students, 80 percent of the students said a man had the right to force his wife to have sex against her consent; 25 percent of boys -- and 20 percent of the girls -- said a man could force a woman to have sex if he had spent \$10 or more on a date with her. The new law provides \$205 million over five years to provide rape education and prevention to students at all levels.

The Act also makes safety a priority: it provides \$325 million over five years for family violence shelters, a total of \$25 million to make physical improvements in lighting and security in public transportation, parking lots, and public parks; and \$3 million to operate a national family violence hotline.

In sum, the new law changes both the process and the substance of the criminal justice system's response to this violence; it also takes practical steps to increase women's safety. With the new law in place we will see, among other things:

- \* More states with mandatory arrest policies in family violence cases;
- \* More shelters to provide a safe place for women and their children;
- \* More victims counselors who work with women through every stage in the process -- from investigation through trial and beyond;
- \* Special training programs for police, prosecutors, and judges about rape, sexual assault, stalking, and family violence;
- \* Recognition by every state of protective orders issued in one state;
- \* Better communication between courts to help civil and family court judges respond in stalking and family violence cases;
- \* Federal penalties for those who cross state lines to continue abuse of a spouse;
- \* More lights, cameras, and emergency phones at bus stops, subway stations, parking lots, and in public parks;
- \* More states that pay for medical exams in sexual assault cases;
- \* Mandatory restitution in the federal system from those who commit sexual assault to their victims;

- \* New evidentiary rules that extend "rape shield"-type protection to civil and criminal cases as well as sex harassment litigation;
- \* More education and prevention programs in our schools, to teach our future generations that this violence is a serious crime that will not be tolerated; and
- \* A civil rights remedy for victims of crimes "motivated by gender."

While legislation alone cannot change people's values, the education, training, and attention provided by the Violence Against Women Act can bring progress in changing our attitudes and our actions towards this violence. No law alone, however comprehensive, will eradicate sexual assault or family violence, but this new law is a major step in the right direction -- it will mean that some women will not become victims and that those who do will be much more likely to get the support the need and deserve.

### *The Purpose of this Manual*

This manual is meant to serve as an initial guide to putting the programs in the new law to work. The description of each program includes its purpose, eligible applicants, a summary of the application process, terms and requirements, funding availability, and contacts for further information. Although most of the funding will become available in fiscal year 1996, dollars are available beginning as early as October 1, 1994, for those programs marked on the Table of Contents with an asterisk.

I give my thanks to all of you engaged in the fight against family violence and sexual assault, who will use the tools offered by this law. It is each of you who will make real change happen. In learning about the violence you fight every day, I became convinced that violence against women reflects as much a failure of our nation's collective conscience as it does the failure of our nation's laws and regulations. We are helpless to change the course of this violence unless, and until, we achieve a national consensus that it deserves our profound public outrage. I hope the Violence Against Women Act marks the beginning of that national consensus.

To all those who worked with me to formulate and fight for the Violence Against Women Act, thank you for your efforts, your diligence, and your expertise. I also thank my staff of the Senate Judiciary Committee for their work on the legislation and for putting together this manual -- Demetra Lambros, Chris Putala, Tracy Doherty, Adam Gelb, Mimi Murphy, Jenna Nober, and Cynthia Hogan.

Joseph R. Biden, Jr.  
Chairman,  
Senate Judiciary Committee  
September 29, 1994

# THE BIDEN VIOLENCE AGAINST WOMEN LAW

As included in the  
Violent Crime Control and Law Enforcement Law

Signed into law September 13, 1994

## Safe Streets for Women

### Increases Penalties for Sex Crimes

- \* Doubles the federal penalty for repeat sex offenders
- \* Requires that federal laws treat acquaintance rape and stranger rape the same
- \* Mandates restitution for the victims of sex crimes

### Fosters More Effective Law Enforcement of Violence Against Women

- \* Provides \$800 million for a wide array of services and programs, including:
- \* Training for police, prosecutors, and judges to better identify, understand and respond to violent crimes against women
  - \* Money for more officers, prosecutors targeting violence against women
  - \* Developing model law enforcement programs directed at family violence, stalking
  - \* Expanding victim services programs, such as rape crisis centers, shelters, victim advocates, rape and family counseling services
  - \* Data collection systems linking police, prosecutors and courts to track arrests, prosecutions and convictions

### Encourages Women to Prosecute Their Attackers

- \* Extends "rape shield law" protections to civil cases (e.g., sexual harassment) and to all criminal cases (current law applies only to sexual assault cases) to bar embarrassing and irrelevant inquires into a victim's sexual history at trial

- \* Requires states to pay for rape exams
- \* Provides \$1.5 million for federal victim/witness counselors to help victims of sex and family violence crimes

#### Sheds Light on Dangerous Places

- \* Provides \$35 million for increased lighting, camera surveillance and emergency phones at bus stops, bus stations, subways, parking lots, and public and national parks

#### Educates Kids About Rape and Family Violence

- \* Provides \$205 million for rape and family violence education, starting in junior high school, and for public awareness programs in under-served racial, ethnic and language minority communities
- \* Provides \$30 million for street-based outreach and education for runaway, homeless and street youth

### Safe Homes for Women

#### Protects Women from Abusive Husbands

- \* Creates federal penalties for spouse abusers who cross state lines to continue their abuse
- \* Requires every state to enforce a "stay-away" order issued by another state
- \* Requires confidentiality for the addresses of family violence shelters and abused persons

#### Promotes Arrests of Abusive Spouses

- \* Authorizes \$120 million for states that implement pro-arrest policies regarding abusive spouses

#### Provides More Money for Shelters

- \* More than triples funding for battered women's shelters (\$325 million)

Establishes National Family Violence Hotline

- \* Provides \$3 million for toll-free hotline to provide information, assistance to family violence victims (Sen. Kennedy)

Targets Rural Area for Aid

- \* Provides \$30 million for family violence and child abuse enforcement and victim aid for rural areas (Sen. Leahy)

**Civil Rights for Women**

Extends "Civil Rights" Protections to All Gender-Motivated Crimes

- \* Provides first-ever civil rights remedy for victims of felonies motivated by gender bias

**Protections for Immigrant Women**

Gives Battered Women the Right to Self-Petition

- \* Allows battered immigrant women to file residency petitions for themselves. This provision remedies the Catch-22 faced by such women: today, they must either stay in the abusive relationships or risk deportation when their U.S. husbands refuse to file petitions on their behalf

**Equal Justice for Women**

Makes Courts Fairer by Training Judges

- \* Provides more than \$1 million to train state and federal judges -- to increase awareness and sensitivity about crimes against women

**TOTAL FUNDING: \$1.6 BILLION**

**A. POLICE**

**GRANT: GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN**

**PURPOSE**

To provide personnel, technical assistance, and equipment --

To train law enforcement and prosecutors to more effectively identify and respond to violent crimes against women including sexual assault and domestic violence.

To develop units of law enforcement and prosecutors targeting violent crimes against women.

To develop more effective police and prosecution policies.

To develop or expand data collection.

To develop victim services programs such as providing specialized domestic violence court advocates in courts.

To increase reporting or reducing attrition rates for cases.

**ELIGIBLE APPLICANTS**

States, cities, towns, counties, and nonprofit nongovernmental victim services programs.

**APPLICATION PROCESS**

States submit applications to U.S. Department of Justice.

Cities, towns, counties submit applications to the State.

Nonprofit, nongovernmental victim services submit applications to States, cities, towns, and counties.

**TERMS AND RESTRICTIONS**

75% Federal share.

At least 25% of grant must be allocated for each of law enforcement, prosecution, and victim services programs. Remaining funds may be used for programs addressing stalking and serving the needs of Indian tribes.

States and localities shall develop a plan in consultation with nonprofit, nongovernmental victim services programs, including sexual assault and domestic violence victim services programs.

Applicants are not entitled to receive funds unless within the later of 2 years or the end of the next State legislative session:

- \* State, city, town, county pays for medical exams of sexual assault victims;
- \* State, city, town, county does not require sexual assault victims to pay for the filing charge, nor pay the cost of issuing or serving warrants, protection orders or witness subpoenas.

### **FUNDING**

Total national funding is \$800 million over 6 years. \$26 million becomes available October 1, 1994.

The funding formula provides a minimum of \$500,000 to each state, with the remaining funds distributed on the basis of state population.

**FOR MORE INFORMATION CONTACT: U.S. DEPARTMENT OF JUSTICE  
RESPONSE CENTER: 1-800-421-6770.**

**GRANT: ARREST FOR SPOUSAL ABUSE GRANTS**

**PURPOSE**

To support mandatory or pro-arrest policies, improve tracking of spousal abuse cases, centralize and coordinate spousal abuse units of police, prosecutors, and judges; support computer systems to enhance communication between police, prosecutors and criminal and family courts, strengthen legal advocacy service programs for victims of domestic violence; and educate judges about domestic violence.

**ELIGIBLE APPLICANTS**

States, cities, towns and counties.

**APPLICATION PROCESS**

These are discretionary grants. States, cities, towns and counties submit applications to the U.S. Department of Justice.

Nonprofit, private sexual assault and domestic violence programs to take part in developing the application and in consulting in the development and implementation.

**TERMS AND RESTRICTIONS**

To be eligible, States, cities, towns and counties must certify that within the later of two years or the end of the next legislative session that their laws or official policies:

- \* encourage or mandate the arrest of domestic violence offenders;
- \* discourage "dual arrests" of victim and abuser;
- \* prohibit the issuance of mutual restraining orders except where court determines that both acted as aggressors; and
- \* do not require victims to pay costs of filing criminal charges against abuser.

**FUNDING**

Total national funding is \$120 million over 3 years. (FY96-FY98). Funds become available beginning October 1, 1995.

**FOR MORE INFORMATION CONTACT: U.S. DEPARTMENT OF JUSTICE  
RESPONSE CENTER: 1-800-421-6770.**

**GRANT: STALKING**

**PURPOSE**

To improve data collection and data entry processes regarding stalking and domestic violence into local, State, and national crime information databases.

**ELIGIBLE APPLICANTS**

States, cities, towns, and counties.

**APPLICATION PROCESS**

These are discretionary grants. States, cities, towns and counties submit applications to the U.S. Department of Justice.

**TERMS AND RESTRICTIONS**

Applicants shall certify that they have established or intend to establish a program that enters into the National Crime Information Center: records of warrants for the arrest of persons violating protection orders intended to protect victims from stalking or domestic violence; arrests and convictions of persons violating protection or domestic violence; and protection orders for the protection of persons from stalking or domestic violence.

**FUNDING**

Total national funding is \$6 million over 3 years (FY96-FY98). Funds become available beginning October 1, 1995.

**FOR MORE INFORMATION CONTACT: U.S. DEPARTMENT OF JUSTICE  
RESPONSE CENTER: 1-800-421-6770.**

**GRANT: RURAL DOMESTIC VIOLENCE**

**PURPOSE**

To investigate and prosecute incidents of domestic violence and child abuse through cooperative efforts between law enforcement officers, prosecutors, victim advocacy groups, and other parties.

To provide treatment and counseling to victims of domestic violence or child abuse.

To work in cooperation with the community to develop education and prevention strategies.

**ELIGIBLE APPLICANTS**

States, cities, towns, counties, and public or private entities of rural States.

**APPLICATION PROCESS**

These are discretionary grants. States, cities, towns, and counties, Indian tribal governments, public or private entities of rural States may submit applications to the U.S. Department of Justice.

Victim advocacy groups, law enforcement, prosecutors, and other related parties should contact States, cities, towns and counties.

**TERMS AND RESTRICTIONS**

100% Federal share.

Rural states are -- Alaska, Arkansas, Arizona, Colorado, Idaho, Iowa, Kansas, Maine, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Vermont, Wyoming.

**FUNDING**

Total national funding is \$30 million over 3 years (FY96-FY98). Funds become available beginning October 1, 1995.

**FOR MORE INFORMATION CONTACT: U.S. DEPARTMENT OF JUSTICE  
RESPONSE CENTER: 1-800-421-6770.**

**B. PROSECUTORS AND COURTS**

**GRANT: GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN**

**PURPOSE**

To provide personnel, technical assistance, and equipment --

To train law enforcement and prosecutors to more effectively identify and respond to violent crimes against women including sexual assault and domestic violence.

To develop units of law enforcement and prosecutors targeting violent crimes against women.

To develop more effective police and prosecution policies.

To develop or expand data collection.

To develop victim services programs such as providing specialized domestic violence court advocates in courts.

To increase reporting or reducing attrition rates for cases.

**ELIGIBLE APPLICANTS**

States, cities, towns, counties, and nonprofit nongovernmental victim services programs.

**APPLICATION PROCESS**

States submit applications to U.S. Department of Justice.

Cities, towns, counties submit applications to the State.

Nonprofit, nongovernmental victim services submit applications to States, cities, towns, and counties.

**TERMS AND RESTRICTIONS**

75% Federal share.

At least ~~25%~~ of grant must be allocated for each of law enforcement, prosecution, and victim services programs. Remaining funds may be used for programs addressing stalking and serving the needs of Indian tribes.

States and localities shall develop a plan in consultation with nonprofit, nongovernmental victim services programs, including sexual assault and domestic violence victim services programs.

Applicants are not entitled to receive funds unless within the later of 2 years or the end of the next State legislative session:

- \* State, city, town, county pays for medical exams of sexual assault victims;
- \* State, city, town, county does not require sexual assault victims to pay for the filing charge, nor pay the cost of issuing or serving warrants, protection orders or witness subpoenas.

### **FUNDING**

Total national funding is \$800 million over 6 years. \$26 million becomes available October 1, 1994.

The funding formula provides a minimum of \$500,000 to each state, with the remaining funds distributed on the basis of state population.

**FOR MORE INFORMATION CONTACT:** U.S. DEPARTMENT OF JUSTICE  
RESPONSE CENTER: 1-800-421-6770.

**GRANT: TRAINING FOR STATE JUDGES**

**PURPOSE**

To develop and disseminate model programs to be used by States in training judges and court personnel in laws on rape, sexual assault, domestic violence, and other crimes of violence motivated by the victim's gender.

**ELIGIBLE APPLICANTS**

States, localities, nonprofits with expertise.

**APPLICATION PROCESS**

Eligible entities submit applications to the U.S. Department of Justice, State Justice Institute.

**TERMS AND RESTRICTIONS**

\$240,000 to be used for model programs regarding domestic violence. \$240,000 to be used for model programs regarding rape and sexual assault.

Model programs must be developed with the participation of law enforcement officials, public and private nonprofit victim advocates, legal experts, prosecutors, defense attorneys, and recognized experts on gender bias in the courts.

**FUNDING**

Total national funding is \$600,000 in fiscal year 1996. Dollars become available October 1, 1995.

**FOR MORE INFORMATION CONTACT: TO BE SUPPLIED.**

**GRANT: RURAL DOMESTIC VIOLENCE**

**PURPOSE**

To investigate and prosecute incidents of domestic violence and child abuse through cooperative efforts between law enforcement officers, prosecutors, victim advocacy groups, and other parties.

To provide treatment and counseling to victims of domestic violence or child abuse.

To work in cooperation with the community to develop education and prevention strategies.

**ELIGIBLE APPLICANTS**

States, cities, towns, counties, and public or private entities of rural States.

**APPLICATION PROCESS**

These are discretionary grants. States, cities, towns, and counties, Indian tribal governments, public or private entities of rural States may submit applications to the U.S. Department of Justice.

Victim advocacy groups, law enforcement, prosecutors, and other related parties should contact States, cities, towns and counties.

**TERMS AND RESTRICTIONS**

100% Federal share.

Rural states are -- Alaska, Arkansas, Arizona, Colorado, Idaho, Iowa, Kansas, Maine, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Vermont, Wyoming.

**FUNDING**

Total national funding is \$30 million over 3 years (FY96-FY98). Funds become available beginning October 1, 1995.

**FOR MORE INFORMATION CONTACT: U.S. DEPARTMENT OF JUSTICE  
RESPONSE CENTER: 1-800-421-6770.**

**C. VICTIM SERVICES PROVIDERS**

**GRANT: GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN**

**PURPOSE**

To provide personnel, technical assistance, and equipment --

To train law enforcement and prosecutors to more effectively identify and respond to violent crimes against women including sexual assault and domestic violence.

To develop units of law enforcement and prosecutors targeting violent crimes against women.

To develop more effective police and prosecution policies.

To develop or expand data collection.

To develop victim services programs such as providing specialized domestic violence court advocates in courts.

To increase reporting or reducing attrition rates for cases.

**ELIGIBLE APPLICANTS**

States, cities, towns, counties, and nonprofit nongovernmental victim services programs.

**APPLICATION PROCESS**

States submit applications to U.S. Department of Justice.

Cities, towns, counties submit applications to the State.

Nonprofit, nongovernmental victim services submit applications to States, cities, towns, and counties.

**TERMS AND RESTRICTIONS**

75% Federal share.

At least 25% of grant must be allocated for each of law enforcement, prosecution, and victim services programs. Remaining funds may be used for programs addressing stalking and serving the needs of Indian tribes.

States and localities shall develop a plan in consultation with nonprofit, nongovernmental victim services programs, including sexual assault and domestic violence victim services programs.

Applicants are not entitled to receive funds unless within the later of 2 years or the end of the next State legislative session:

- \* State, city, town, county pays for medical exams of sexual assault victims;
- \* State, city, town, county does not require sexual assault victims to pay for the filing charge, nor pay the cost of issuing or serving warrants, protection orders or witness subpoenas.

### **FUNDING**

Total national funding is \$800 million over 6 years. \$26 million becomes available October 1, 1994.

The funding formula provides a minimum of \$500,000 to each state, with the remaining funds distributed on the basis of state population.

**FOR MORE INFORMATION CONTACT:** U.S. DEPARTMENT OF JUSTICE  
RESPONSE CENTER: 1-800-421-6770.

**GRANT: NATIONAL DOMESTIC VIOLENCE HOTLINE**

**PURPOSE**

To operate a national, toll-free telephone hotline to provide information and assistance to victims of domestic violence.

**ELIGIBLE APPLICANTS**

Private, nonprofit organizations with nationally recognized expertise in domestic violence and a record of high quality service to victims of domestic violence.

**APPLICATION PROCESS**

This is a discretionary grant. Organizations submit applications to the U.S. Department of Health and Human Services.

**TERMS AND RESTRICTIONS**

The hotline must assemble and maintain a current database of victims' services, including battered women's shelters, available throughout the nation, and publicize the hotline to potential users.

Applications must include a plan that describes training and hiring procedures for hotline personnel, and that will facilitate access to the hotline by non-English speaking callers and persons with hearing impairments.

**FUNDING**

Total funding is \$3 million over 6 years (FY95-FY2000). Funds become available beginning October 1, 1994.

**FOR MORE INFORMATION CONTACT: TO BE SUPPLIED.**

**GRANT: RURAL DOMESTIC VIOLENCE**

**PURPOSE**

↳ To investigate and prosecute incidents of domestic violence and child abuse through cooperative efforts between law enforcement officers, prosecutors, victim advocacy groups, and other parties.

To provide treatment and counseling to victims of domestic violence or child abuse.

To work in cooperation with the community to develop education and prevention strategies.

**ELIGIBLE APPLICANTS**

States, cities, towns, counties, and public or private entities of rural States.

**APPLICATION PROCESS**

These are discretionary grants. States, cities, towns, and counties, Indian tribal governments, public or private entities of rural States may submit applications to the U.S. Department of Justice.

Victim advocacy groups, law enforcement, prosecutors, and other related parties should contact States, cities, towns and counties.

**TERMS AND RESTRICTIONS**

100% Federal share.

Rural states are -- Alaska, Arkansas, Arizona, Colorado, Idaho, Iowa, Kansas, Maine, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Vermont, Wyoming.

**FUNDING**

Total national funding is \$30 million over 3 years (FY96-FY98). Funds become available beginning October 1, 1995.

**FOR MORE INFORMATION CONTACT: U.S. DEPARTMENT OF JUSTICE  
RESPONSE CENTER: 1-800-421-6770.**

D. SCHOOLS

**GRANT: RAPE EDUCATION & PREVENTION GRANTS**

**PURPOSE**

To provide rape prevention and education seminars, hotlines, training or information materials.

**ELIGIBLE APPLICANTS**

States.

**APPLICATION PROCESS**

States must submit state plans and meet other requirements in accordance with Part A of Title XIX of the Public Health and Human Services Act (42 U.S.C. 300w et seq.).

**TERMS AND RESTRICTIONS**

100% Federal share. State allotments are based on population.

At least 25% of grant funds must be targeted to middle school, junior high and high school students.

States must hold public hearings on proposed uses of grant funds.

**FUNDING**

Total national funding is \$205 million over 5 years (FY96-FY2000). Funds become available beginning October 1, 1995.

**FOR MORE INFORMATION CONTACT: TO BE SUPPLIED**

**GRANT: COMMUNITY PROGRAMS ON DOMESTIC VIOLENCE**

**PURPOSE**

To provide assistance to nonprofit organizations to coordinate intervention and prevention of domestic violence.

**ELIGIBLE APPLICANTS**

Nonprofit organizations, including health care providers, the education and religious communities, the justice system, domestic violence program advocates, human service entities, and business and civic leaders.

**APPLICATION PROCESS**

Nonprofit organizations submit applications to the U.S. Department of Health and Human Services under the existing Family Violence Prevention and Services program.

**TERMS AND RESTRICTIONS**

100% Federal share.

Grants last a maximum of 3 years.

Grant recipients must establish protocols to improve and expand domestic violence intervention and prevention and provide for the periodic evaluation of the project with a written report and analysis.

**FUNDING**

Total national funding is \$10 million over 2 years (FY96-FY97). Funds become available beginning October 1, 1995.

**FOR MORE INFORMATION CONTACT: TO BE SUPPLIED**

**E. SHELTERS**

**GRANT: DOMESTIC VIOLENCE SHELTERS GRANTS**

**PURPOSE**

To provide immediate shelter and related assistance to victims of family violence; and to provide technical assistance to shelters.

**ELIGIBLE APPLICANTS**

**SHELTER GRANTS:** States, local public agencies and nonprofit private organizations (including religious and charitable organizations).

**INFORMATION AND TECHNICAL ASSISTANCE CENTERS:** Private nonprofit organizations.

**APPLICATION PROCESS**

**SHELTER GRANTS:** These are formula grants under the Family Violence Prevention and Services Act. States apply to the U.S. Department of Health and Human Services.

Local public agencies and nonprofit private organizations (including religious and charitable organizations, and voluntary associations) apply to States.

**INFORMATION AND TECHNICAL ASSISTANCE CENTERS:** These are discretionary grants. Private nonprofit organizations apply to the U.S. Department of Health and Human Services to establish one National Resource Center and six special issue resource centers.

**TERMS AND RESTRICTIONS**

**SHELTER GRANTS:** At least \$260 million for shelters. Of that amount, at least \$182 million is for shelter and related assistance to victims and their children, and at least \$65 million is for prevention and outreach.

**INFORMATION AND TECHNICAL ASSISTANCE:** At least \$16 million for information and technical assistance.

**INDIAN TRIBAL GOVERNMENTS:** At least \$32.5 million is for Indian Tribal Organizations to provide a family violence shelter and related assistance on Reservations.

**FUNDING** \$325 million over 5 years (FY96-FY2000). Dollars available beginning October 1, 1995.

**FOR MORE INFORMATION CONTACT: TO BE SUPPLIED**

**F. PARKS/PUBLIC TRANSIT**

**GRANT: SAFETY FOR WOMEN IN PUBLIC TRANSPORTATION**

**PURPOSE**

To provide grants and loans for lighting for public transportation systems; camera surveillance for public transportation; emergency phone lines to contact law enforcement; and other measures to increase safety of public transportation systems.

**ELIGIBLE APPLICANTS**

States, cities, towns and counties.

**APPLICATION PROCESS**

This is a discretionary grant. States, cities, towns and counties submit applications to the U.S. Department of Transportation.

**TERMS AND RESTRICTIONS**

90% Federal share.

Applicants must provide crime statistics from public transportation to U.S. Departments of Transportation and Justice.

At least \$7.5 million must be used for lighting and camera surveillance.

**FUNDING**

Total national funding is \$10 million in fiscal year 1996. Funds become available October 1, 1995.

**FOR MORE INFORMATION CONTACT: TO BE SUPPLIED**

**GRANT: SAFETY FOR WOMEN IN PUBLIC PARKS**

**PURPOSE**

To increase lighting in public parks and recreation areas; provide emergency phone lines in public parks to contact law enforcement; and increase security personnel.

**ELIGIBLE APPLICANTS**

States.

**APPLICATION PROCESS**

These are discretionary grants under the Land and Water Conservation Fund program. States shall submit applications to the U.S. Department of Interior.

**TERMS AND RESTRICTIONS**

70% Federal share.

Priority given to projects proposed for urban parks and recreation with the highest rates of crime and sexual assault.

Funds may be transferred by the State to political subdivisions or other appropriate public agencies.

**FUNDING**

Total national funding is \$15 million in fiscal year 1996 (added to existing funds). Funds become available October 1, 1995.

**FOR MORE INFORMATION CONTACT: TO BE SUPPLIED**

**G. NON-PROFIT ORGANIZATIONS**

**GRANT: DOMESTIC VIOLENCE SHELTERS GRANTS**

**PURPOSE**

To provide immediate shelter and related assistance to victims of family violence; and to provide technical assistance to shelters.

**ELIGIBLE APPLICANTS**

**SHELTER GRANTS:** States, local public agencies and nonprofit private organizations (including religious and charitable organizations).

**INFORMATION AND TECHNICAL ASSISTANCE CENTERS:** Private nonprofit organizations.

**APPLICATION PROCESS**

**SHELTER GRANTS:** These are formula grants under the Family Violence Prevention and Services Act. States apply to the U.S. Department of Health and Human Services.

Local public agencies and nonprofit private organizations (including religious and charitable organizations, and voluntary associations) apply to States.

**INFORMATION AND TECHNICAL ASSISTANCE CENTERS:** These are discretionary grants. Private nonprofit organizations apply to the U.S. Department of Health and Human Services to establish one National Resource Center and six special issue resource centers.

**TERMS AND RESTRICTIONS**

**SHELTER GRANTS:** At least \$260 million for shelters. Of that amount, at least \$182 million is for shelter and related assistance to victims and their children, and at least \$65 million is for prevention and outreach.

**INFORMATION AND TECHNICAL ASSISTANCE:** At least \$16 million for information and technical assistance.

**INDIAN TRIBAL GOVERNMENTS:** At least \$32.5 million is for Indian Tribal Organizations to provide a family violence shelter and related assistance on Reservations.

**FUNDING** \$325 million over 5 years (FY96-FY2000). Dollars available beginning October 1, 1995.

**FOR MORE INFORMATION CONTACT: TO BE SUPPLIED**

**GRANT: RAPE EDUCATION & PREVENTION**

**PURPOSE**

To provide rape prevention and education seminars, hotlines, training or information materials.

**ELIGIBLE APPLICANTS**

States. (Nonprofit and community-based organizations contract with States.)

**APPLICATION PROCESS**

Rape crisis centers or similar nongovernmental nonprofits may contract with States to provide program services.

**TERMS AND RESTRICTIONS**

100% Federal share. State allotments are based on population.

At least 25% must be targeted to middle school, junior high and high school students.

States must hold public hearings on proposed uses of grant funds.

**FUNDING**

Total national funding is \$205 million over 5 years (FY96-FY2000). Funds become available beginning October 1, 1995.

**FOR MORE INFORMATION CONTACT: TO BE SUPPLIED**

**GRANT: EDUCATION AND PREVENTION GRANTS TO REDUCE SEXUAL ABUSE  
OF RUNAWAY, HOMELESS, AND STREET YOUTH**

**PURPOSE**

To provide street-based outreach and education, including treatment, counseling, provision of information, and referral for runaway, homeless, and street youth who have been subjected to or are at-risk of being subjected to sexual abuse.

**ELIGIBLE APPLICANTS**

Private nonprofit agencies.

**APPLICATION PROCESS**

These are discretionary grants. Private nonprofit agencies submit applications to the U.S. Department of Health and Human Services.

Priority to agencies that have experience in providing services to runaway, homeless, and street youth.

**FUNDING**

Total national funding is \$30 million over 3 years (FY96-FY98). Funds become available beginning October 1, 1995.

**FOR MORE INFORMATION CONTACT: TO BE SUPPLIED**

**GRANT: COMMUNITY PROGRAMS ON DOMESTIC VIOLENCE**

**PURPOSE**

To provide assistance to nonprofit organizations to coordinate intervention and prevention of domestic violence.

**ELIGIBLE APPLICANTS**

Nonprofit organizations, including health care providers, the education and religious communities, the justice system, domestic violence program advocates, human service entities, and business and civic leaders.

**APPLICATION PROCESS**

Nonprofit organizations submit applications to the U.S. Department of Health and Human Services under the existing Family Violence Prevention and Services program.

**TERMS AND RESTRICTIONS**

100% Federal share.

Grants last a maximum of 3 years.

Grant recipients must establish protocols to improve and expand domestic violence intervention and prevention and provide for the periodic evaluation of the project with a written report and analysis.

**FUNDING**

Total national funding is \$10 million over 2 years (FY96-FY97). Funds become available beginning October 1, 1995.

**FOR MORE INFORMATION CONTACT: TO BE SUPPLIED**

**GRANT: NATIONAL DOMESTIC VIOLENCE HOTLINE**

**PURPOSE**

To operate a national, toll-free telephone hotline to provide information and assistance to victims of domestic violence.

**ELIGIBLE APPLICANTS**

Private, nonprofit organizations with nationally recognized expertise in domestic violence and a record of high quality service to victims of domestic violence.

**APPLICATION PROCESS**

This is a discretionary grant. Organizations submit applications to the U.S. Department of Health and Human Services.

**TERMS AND RESTRICTIONS**

The hotline must assemble and maintain a current database of victims' services, including battered women's shelters, available throughout the nation, and publicize the hotline to potential users.

Applications must include a plan that describes training and hiring procedures for hotline personnel, and that will facilitate access to the hotline by non-English speaking callers and persons with hearing impairments.

**FUNDING**

Total funding is \$3 million over 6 years (FY95-FY2000). Funds become available beginning October 1, 1994.

**FOR MORE INFORMATION CONTACT: TO BE SUPPLIED.**

**H. KEY SUBSTANTIVE PROVISIONS**

**PROVISION:            CIVIL RIGHTS REMEDY**

**PURPOSE**

Provides the first Federal civil rights remedy for gender-based violent crimes, allowing victims of such crimes to bring civil actions against their attackers in Federal court for damages and other relief.

The cause of action is limited to violent felonies motivated by gender.

The scope is limited to causes of action in which: there is a crime of violence, which constitutes a felony against the person under State or Federal law or in rare instances felonies against property; which was committed because of gender or on the basis of gender and was due, at least in part, to an animus based on the victim's gender.

Violent crimes not motivated by gender are not covered by the statute and do not give rise to a cause of action.

The existence of State remedies is not a bar to a Federal civil rights remedy.

**PROVISION:      FAMILY VIOLENCE AND FIREARMS**

**PURPOSE**

Expands federal prohibition on firearm transfers and possession to include persons who are subject to restraining orders that:

- \*      restrain them from harassing, stalking, or threatening an intimate partner or child; or
- \*      restrain them from engaging in conduct that would put an intimate partner in reasonable fear of bodily injury.

Court restraining order must be issued under procedures that protect due process.

**PROVISION: FULL FAITH AND CREDIT FOR PROTECTION ORDERS**

**PURPOSE**

Requires courts in one State to enforce protection ("stay-away") orders issued by any other State.

Requires that cross or counter petitions have been filed before giving mutual protection orders full faith and credit.

Person against whom the order is sought must be given reasonable notice, an opportunity to be heard, and other due process protections.

**PROVISION:           SEX OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION**

**REGISTRATION OF SEXUALLY VIOLENT OFFENDERS**

Directs states to establish programs requiring sexually violent offenders or offenders convicted of certain crimes against children, such as kidnapping and sexual misconduct, to register their addresses with an appropriate state law enforcement agency after their release from prison.

All covered offenders must register their address for at least 10 years.

Sexually violent predators must remain registered for life or until a court determines that they no longer suffer from a mental abnormality.

Covered offenders are persons convicted of sexually violent offenses -- aggravated sexual abuse or sexual abuse (as described in 18 U.S.C. 2241 or 2242 or in state criminal law) -- or offenses against a minor that consist of -- kidnapping of a minor, criminal sexual conduct toward a minor, solicitation of a minor to engage in sexual conduct, use of a minor in a sexual performance, solicitation of a minor to practice prostitution, and conduct that by its nature is a sexual offense against a minor.

Sexually violent predators are offenders convicted of a sexually violent offense and who a state court -- advised by a state board of experts -- determines suffer from a mental abnormality or personality disorder that makes the person likely to engage in predatory sexually violent offenses.

State and local law enforcement may notify the community about the offender.

Law enforcement agencies, employees of law enforcement agencies and State officials shall be immune from liability for good faith conduct under this section.

State law enforcement must transmit a copy of offender's conviction data and fingerprints to the FBI.

Failure of state to make good faith efforts to implement the registration program within three years, or to fully implement within five years, permits the Attorney General to reduce a State's Byrne Grant funding by up to 10%.

**TRAVEL FOR CHILD SEXUAL ABUSE**

Creates a new federal child sex offense, prohibiting a U.S. citizen or permanent resident from travelling in interstate or foreign commerce with the intent to engage in sexual acts with a minor that are prohibited under federal law in the United States, even if those acts are legal in the destination country.

**PROVISION:            NOTIFICATION OF RELEASE OF FEDERAL PRISONERS**

**PURPOSE**

To provide notice of the release of federal prisoners to state and local law enforcement.

At least 5 days before a federal prisoner (convicted of a sexual offense, violent or drug trafficking crime) is released, the U.S. Bureau of Prisons must notify the chief law enforcement officer of the State and the local jurisdiction where the prisoner will reside.

**FOR MORE INFORMATION CONTACT: U.S. DEPARTMENT OF JUSTICE RESPONSE CENTER: 1-800-421-6770**

At least 5 days before a federal offender changes residence while on supervised release, the federal probation officer responsible for the supervision of the released prisoner must notify the chief law enforcement officer of the State or local jurisdiction where the prisoner will reside.

**FOR MORE INFORMATION CONTACT: CHIEF FEDERAL PROBATION OFFICER FOR APPROPRIATE FEDERAL COURT DISTRICT**

Notice must include the prisoner's name, criminal history (including a description of the most recent conviction offense), and conditions of release.

Participants in Federal Witness Protection Program specifically exempt.

**PROVISION:        STALKING**

**PURPOSE**

To allow access to national crime information databases for use in state civil or criminal domestic violence or stalking cases.

To allow State and local law enforcement agencies to enter information on protective orders and convictions, arrests, and warrants for domestic violence or violation of protection orders in national crime information databases.

**FOR MORE INFORMATION CONTACT: U.S. DEPARTMENT OF JUSTICE,  
FEDERAL BUREAU OF INVESTIGATION**

**PROVISION:        BATTERED IMMIGRANT WOMEN**

**PURPOSE**

Allows battered women who are eligible to become legal permanent residents to petition for permanent residence status for themselves or for their battered children.

**PROVISION:            CONFIDENTIALITY FOR ABUSED PERSONS**

**PURPOSE**

To require the United States Postal Service to secure the confidentiality of domestic violence shelters and abused persons' addresses.

Those seeking confidentiality must present a valid outstanding protection order to the U.S. Postal Service.

Disclosure of addresses to State or Federal agencies for legitimate law enforcement or other governmental purposes is not prohibited.

**SENATE JUDICIARY COMMITTEE  
HEARINGS AND REPORTS  
ON VIOLENCE AGAINST WOMEN**

**HEARINGS ON VIOLENCE AGAINST WOMEN**

**Women and Violence,**  
June 20, 1990

**Violence Against Women,**  
August 29, 1990

**Domestic Violence,**  
December 11, 1990

**Violence Against Women: Hate Crimes,**  
April 9, 1991

**Violence Against Women: A Week in the Life of America,**  
February 4, 1992

**Legislative Answers to Stalking,**  
September 29, 1992

**Violence Against Women, Field Hearing held in South Portland, Maine,**  
November 12, 1993

**Violent Crimes Against Women, Field Hearing held in Salt Lake City, Utah,**  
April 13, 1993

**Domestic Violence, Field Hearing held in Boston, Massachusetts,**  
Feb. 1, 1993

**Anti-Stalking Proposals: Combatting Stalking and Family Violence,**  
March 17, 1993

**The Response to Rape: Detours on the Road to Equal Justice,**  
May 27, 1993

**Putting the Violence Against Women Act into Action,**  
September 29, 1994

## REPORTS ON VIOLENCE AGAINST WOMEN

**The Violence Against Women Act of 1990,**  
October 1990

**Violence Against Women: Increase of Rape in America 1990,**  
March 1991

**The Violence Against Women Act of 1991,**  
October 1991

**Violence Against Women: A Week in the Life of America,**  
October 1992

**The Response to Rape: Detours on the Road to Equal Justice,**  
May 1993

**The Violence Against Women Act of 1993,**  
September 1993