

Testimony  
*United States Senate Committee on the Judiciary*  
**Reauthorization of the Violence Against Women Act**  
July 19, 2005

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TESTIMONY of LYNN ROSENTHAL  
of the  
NATIONAL NETWORK TO END DOMESTIC VIOLENCE  
before the  
SENATE COMMITTEE ON THE JUDICIARY  
on the  
VIOLENCE AGAINST WOMEN ACT OF 2005

July 19, 2005

#### INTRODUCTION

The Senate Judiciary Committee's 1992 report, "Violence Against Women: A Week in the Life of American Women" was a watershed event in the history of work to end domestic violence, dating violence, sexual assault, and stalking. That report graphically described 200 incidents of violence that occurred in just one week of just one year in America. It had a profound impact on many individuals working to end violence against women in courthouses, police stations, shelters, and rape crisis centers. It portrayed the world that these helping professionals inhabited, where crimes of violence against women were a daily occurrence and a daily sorrow. It delineated the pain of the many thousands of victims of this violence. But most importantly, it put on the record that this problem was real. For the first time, there was a clear, federal voice speaking the truth about the ravages of domestic violence and sexual assault on our communities.

Thirteen years have passed since the publication of that report. So much has changed. Yet so many problems still remain. Violence against women continues to affect our country in epidemic proportions. The passage of the Violence Against Women Act (VAWA) brought the nature of this problem to light. VAWA allowed us to train police officers, judges, prosecutors, victim advocates, and child welfare workers across the country. VAWA programs have been established in so many different communities—rural, urban, suburban, racially diverse—enhancing their various degrees of preparedness to deal with violence against women. We talk about domestic violence, dating violence, sexual assault, and stalking differently now: they are crimes, not private family matters. It used to be unthinkable that law enforcement officers, prosecutors, victim advocates, and judges would sit at the same table together to write model policies for addressing domestic violence, dating violence, sexual assault, and stalking. The passage of the Violence Against Women Act in 1994 made so many crucial changes possible. Most importantly, VAWA has supported the work of the many organizations and agencies dedicated to ending these crimes of violence. VAWA has provided victims with hotlines to call, shelters to provide safety, legal representation, and advocacy. VAWA

organizations and agencies are helping to stem the tide of violence.

In 1994, Congress took a significant step forward in the fight against domestic violence by enacting the Violence Against Women Act (VAWA). Today, we ask Congress to take yet another courageous step by reauthorizing VAWA, making it a stronger and more effective tool in the struggle to end domestic violence.

The National Network to End Domestic Violence (NNEDV) is a social change organization representing 53 state domestic violence coalitions dedicated to creating a social, political, and economic environment in which violence against women no longer exists. NNEDV's membership in turn represents over 3,000 domestic violence service providers across the country. We know what the pain of domestic violence feels like. We look at the faces of battered women and their children everyday. We've come a long way since 1994, but our shelters are full and our hotlines are ringing off the hook.

Nearly one in four women experiences at least one physical assault by a partner during adulthood. **Of the almost 692,000 victims of intimate partner violence, 85% are women.** Intimate partners are the offender in 20% of violent crime against women. And, 33% of female murder victims are killed by an intimate partner. A recent study further shows that reports of domestic violence are up as much as 51%.

With the help of better trained law enforcement officers and prosecutors, batterers are being held accountable and women are able to escape dangerous situations. VAWA is working to make women safer—but it also encouraging victims who never sought help before to reach out. As our resources become stronger, more victims gain the courage to seek help. Now is not the time to retreat. The work at the state and local level has become more, not less, complex.

And, we all pay for domestic violence. Recent studies indicate that domestic violence costs \$5.8 billion per year. Of those costs, over \$4 billion stem from health care related expenditures, while \$1.75 billion are lost annually in productivity and lifetime earnings. Yet the original VAWA, enacted in 1994, is estimated to have saved \$14.8 billion in net averted victimization costs (including productivity, medical and mental health care, police and fire services, social and victim services, and property loss and damage). It is estimated to have cost \$15.50 per woman, while it saved \$159 per woman. VAWA was not only the right thing to do, it was also fiscally sound legislation.

That's why S. 1197 – the Violence Against Women Act of 2005 (VAWA 2005) – is so important. The programs and provisions the Committee is proposing will continue the progress made over the past ten years in three ways.

First, it will reinforce existing core programs, which have such an important role to play in reducing the violence and helping victims to heal. VAWA 2005 is crucial to shoring up these core programs. In addition to supporting core programs, we recommend that Congress include strategic improvements crucial to helping victims to escape violence. Core programs, like the STOP grants, have brought communities together to solve the problem of domestic violence. VAWA programs have provided training for hundreds of law enforcement officers on the dynamics of domestic violence. VAWA core programs have created leadership in so many communities, with law enforcement officers, judges, and prosecutors stepping up to engage the system in the fight against domestic violence. But other issues remain. The attrition rate among these helping professionals is high, and as a communities' leaders move on, there is a danger that the energy propelling the

quality and urgency of the work will dissipate. In so many communities, when one judge, police chief, or district attorney retires and moves on, the system is forced to start from scratch. VAWA 2005 needs to provide support for institutionalizing the work so that it is not dependent on one leader.

Second, we ask that Congress ensure that the needs of uniquely vulnerable communities are met. One of the lessons we have learned over the past ten years is that many victims face unique obstacles. For example, the dynamics of small rural communities pose special challenges to intervention. In rural areas, victims may live several hours from the nearest shelter program and may not have access to transportation to this and other needed services. In some Alaska Native villages, for example, law enforcement must fly for an hour or two to reach a crime scene—if the weather permits. VAWA has helped fund specialized services to improve victim safety in rural areas, such as paying for “attorneys on wheels” to help rural women get to court or effective outreach programs in remote communities.

Rural isolation is not the only challenge, however. Many communities are underserved because of other unique situations. VAWA has helped develop and support linguistically accessible programs, so that immigrant women are not trapped in a violent situation because they do not know the English words for help. VAWA 2005 should also address the unique challenges faced by persons with disabilities and elder victims of abuse, by offering services tailored to their circumstances and by educating their communities on how to best provide services.

Third, the Senate’s proposed reauthorizing legislation provides greater opportunities for victims to rebuild their lives. While domestic violence, dating violence, sexual assault, and stalking are fundamentally criminal justice problems, the solutions are not to be found in the criminal justice system alone. VAWA 2005 will help victims rebuild their lives and create long term security for themselves and their children. It works to educate health care professionals, child welfare workers, and home visitors on how to identify and serve victims of domestic violence. Further, it provides guidance on preventing violence, rather than reacting to it. VAWA 2005 also creates housing solutions for victims of domestic violence to ensure that they can become independent of their batterers.

My comments focus on the core components of VAWA 2005. Title I addresses coordination among victim service providers, law enforcement officers, prosecutors, legal services, court personnel, and the public. It is this coordination that provides victims’ advocates the ability to work within the system to better serve victims and their families and end the cycle of violence. Title II details the need for services and outreach to victims. With VAWA funding, service providers are able to not only serve more victims, but also to better address a full variety of their needs. There is a specific emphasis on services to underserved communities. In addition, I will address Title VI, which aims to tackle the desperate need for housing that many victims face after they escape the violence in their lives.

The goal of ending domestic violence is an ambitious one, but one that can be reached through a coordinated effort to not only serve victims of domestic violence, but also educate communities on how to address victims’ needs. The Violence Against Women Act has done a great deal to address the violence, but the work is not yet complete. VAWA 2005 will bring us one step closer to that goal.

I urge Congress to fulfill your commitment to victims of domestic violence by reauthorizing the Violence Against Women Act to ensure that the progress made will continue and that domestic violence will be eradicated within our lifetime.

## TITLE I – ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

Historically, law enforcement has been hesitant to respond to and act on reports of domestic violence based on the idea that these were private family matters. Prior to VAWA, most police officers were not adequately trained to handle incidents of domestic and sexual violence and would routinely fail to make arrests or collect appropriate evidence.

VAWA has changed the environment in which these systems now operate with respect to victims of domestic and sexual violence. The primary reason for this change is the delivery of services and education authorized in VAWA. Service providers, law enforcement officers, judicial personnel, and others integral in protecting victims are now encouraged and able to work together to get the job done.

While the situation is improving, there is still a great deal of work to be done in order to ensure appropriate levels of understanding and action on the part of all involved.

### STOP Grants

Services, Training, Officers, Prosecutors (STOP) grants are intended to assist state, local, and tribal governments “to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving violent crimes against women.” Positive interactions between victims, service providers, law enforcement, prosecutors, and the courts increase the likelihood of positive outcomes for victims of domestic violence. According to Evaluation of the STOP Formula Grants to Combat Violence Against Women, a study performed by The Urban Institute, STOP Grants have ensured that “victims are safer, better supported by their communities, and treated more uniformly and sensitively by first-response workers.” Findings from that study show that:

? Forty-four percent of STOP grant recipients added new victim services.

? Sixty-four percent of STOP grant recipients enhanced or improved services they had previously offered.

? Seventy-nine percent reported offering services to victims who would not have received services without the STOP funding.

### How are STOP Grants Being Used?

#### Victim Service Programs

A recent study confirms what we already knew: women benefit from the services provided by victim service agencies, and the benefits are enhanced when the service providers work in collaboration with law enforcement and judicial systems. The STOP program has provided victims with the services they need, helping to keep them safe and independent of their abusers.

#### Law Enforcement and Prosecution Training and Cooperation

STOP grants are helping law enforcement agencies across the country field more calls from victims of domestic and sexual violence and are leading to increased arrests. Prosecutor's offices are using STOP grant funds to change the way they prosecute cases and increase the number of prosecutions and convictions of domestic and sexual abusers. Different facets of the criminal justice system now work together to ensure that victims are treated fairly and batterers are held accountable.

#### Underserved Communities

Domestic violence occurs across all socio-economic lines. Key to the success of VAWA is allowing different communities to create and provide services, interventions, and preventions themselves. This is undertaken by tailoring efforts to the specific needs of the underserved community, not by simply incorporating those victims into existing services. Many of the underserved communities are those whose members face language, ethnic, and cultural barriers. Service providers who use STOP grants to serve these victims offer many different services, including English classes, bilingual victim counseling, immigration services, and culturally specific victim support groups.

While there has been progress made in serving certain communities—only 31% of subgrantees that identified Pacific Islander women as underserved emphasized services for them. Continuing the STOP grant program will ensure that service providers will be able to continue these vital services and new programs can continue to be developed to serve those communities not yet targeted.

#### Examples of STOP Funded Services Across America

? With the help of STOP funding, every police officer in Delaware was given basic domestic violence training from 1996–1999. In 1999, this training was expanded to include court personnel, magistrates, air force base personnel, and corrections and animal control officers.

? In Logan, Utah, the enhanced communication and cross-training that came as a result of STOP grant funding increased the participation of the Community Abuse Prevention Services Agency (CAPSA) in mobile crisis team responses, from 35 in the quarter before receiving STOP funding to 101 in one quarter of 1999.

? In Newburyport, Massachusetts, STOP grants have allowed for first-response collaboration between the Women's Crisis Center and the Salisbury Police Department – providing 24 hour-a-day, 7 day-a-week services to victims of domestic violence.

? In Lakewood, Colorado, STOP grants helped the local police department increase the effectiveness of its mobile response unit. Prior to STOP funding it received 62 calls and 56 requests for referrals; after receiving STOP funds, it received 185 calls and 170 requests for referrals.

? In Columbia, South Carolina, STOP grant funds were used by Acercamiento Hispana/Hispanic Outreach to begin a domestic violence program specializing in services for Hispanic victims. The program used its funding to increase the number of women served from 1 prior to 1997 to 119 in 1998.

? In Westchester County, New York, the Special Prosecution Division reported more than

a 25% increase in the number of domestic violence cases tried and resulting in convictions.

? From 1996 through 1999, the Domestic Violence Order Monitoring Program in Fayette County, Kentucky, served 790 victims and perpetrators, and in 1998 helped victims obtain over 1,750 emergency protection orders (a 320% increase from 1990).

? STOP funds helped Kankakee County, Illinois, create the Illinois Sexual Assault Guideline Implementation Team, which resulted in an increase of 280% in active sexual assault prosecution in the first year of its existence.

? In Salt Lake City, Utah, the YWCA CHOICES for Women of Color Program used its funding to do outreach and advocacy to women of color and went from serving 173 clients in its first year to serving 268 women in its second year, a 155% increase.

? In Pinehill, New Mexico, the Ramah Navajo School Board instituted a program serving Navajo women that increased the number of victims served by 550% over two years using STOP Grant funding.

? In New Jersey, Manavi, a victim services organization has used STOP funding to translate materials into five different South Asian languages and open a legal services clinic.

? Lideres Campasinas (Farmworker Leadership Development Project), in California, used its STOP grant to train 25,000 immigrant and migrant women on domestic violence. Begun as a covert, volunteer-based program, it now employs a staff of 14 people in 12 different areas and is a model for other communities that want to break down the cultural barriers to ending domestic violence.

? Domestic violence victims with substance abuse issues are offered the services of a counselor with expertise in both issues in Brockton, Massachusetts. STOP funding is used to pay for the unique services where victims are placed in support groups and are offered a variety of services, including assistance with child custody matters.

? In Calhoun County, West Virginia, STOP funds are used to offer legal advocacy and court accompaniment to victims in this mountainous area with little or no victims' services.

? In Granville, New York, a police force with 6 full-time officers and 6 part-time officers, used STOP funding to create a domestic violence unit that increased arrests by 33% between the program's first and second years, and saw a decline in cases from 150 to 97 from before the STOP program was instituted and the second year.

? In York County, Pennsylvania, STOP funding helps fund a special assistant district attorney and a police officer trained to handle domestic violence cases and train other officers.

? Project S.A.R.A.H. (Stop Abusive Relationships At Home), based in Clifton, New Jersey, is a statewide program that provides community education, training, and other direct services to Jewish and Russian-speaking women.

These studies report that before STOP funding, coordination of services was lacking, but that is changing. Further, they recommend that funding for STOP Grants remain at current levels, at a minimum, in order to ensure that services for victims continue the improvements.

VAWA 2005 will continue and refine these core services by reauthorizing STOP Grant funding at \$225 million for five years. Specifically, it will:

? Provide greater support for emergency services, while continuing to encourage the development of innovative practices;

? Strengthen definitions and distribution language to ensure better support for culturally-specific programs;

? Offer new definitions of key crimes and practices for all VAWA grant programs; and,

? Add language to include racial and ethnic minorities in the state planning process.

#### Legal Assistance Program for Victims

Physical and emotional violence are not the only forms of abuse that a batterer inflicts on a victim of domestic violence. The crime is one of control, and economic security is the first thing that a victim loses when she leaves. Without financial resources, a victim is dependent on others for help, including the legal system. Unfortunately, many battered victims are also victimized by the judicial process. Victims cannot afford to hire adequate legal representation, and without such representation they are unable to obtain protection orders or get custody of their children to keep themselves and their families safe.

The Legal Assistance Program for Victims funds grassroots efforts to meet the broad civil legal assistance needs of victims of domestic violence and sexual assault. This is the only program to offer federal funding designed to meet the legal needs of victims of domestic violence.

? In a study conducted by the New Hampshire state court, in 97% of domestic violence cases, at least one party acts without an attorney.

? The Alaska Network on Domestic Violence and Sexual Assault's Pro Bono Legal Program provided 2,475 hours of legal representation to 99 women from April 1999 to December 2001.

? Legal Aid Services of Oregon increased direct representation of domestic violence victims by 32% from the first quarter of 1998 to the last quarter of 1999.

? The Florida Coalition Against Domestic Violence Legal Clearinghouse provided legal assistance to 2,206 victims in a ten month period of 1999.

? Acadiana Legal Service Corporation in Lafayette, Louisiana, saw a 195% increase in cases involving domestic violence from 2002, prior to VAWA funding, and 2003.

? After receiving VAWA funds, Vermont Legal Aid (VLA) saw a 231% increase in victims served from 1996 to 2003. VLA now serves close to 100% of women who are unrepresented in protection order cases where the offender is represented by counsel.

? Legal Aid Services of Oklahoma increased the number of open cases that were resolved from 86% in 1999 to 99% in 2001.

? Montana Legal Services Association used VAWA funding to establish a Domestic Violence Unit in 1998. The staff divides its time between direct representation, community education, and pro bono attorney recruitment and support.

Reports estimate that upwards of 70% of domestic violence victims are without legal representation. VAWA 2005 increases Legal Assistance to Victims funding to \$65 million over the next five years to help victims with their legal matters. This small increase in funding will be life-saving for victims of domestic violence.

#### Grants to Encourage Arrest and Enforce Protection Orders

Studies show that batterers who are allowed to walk free are more likely to become repeat offenders and that suspects who flee are less likely to be arrested unless law enforcement has sufficient specialized staff. They also show that training for law enforcement officers about the dynamics of domestic violence cases improves officers' interactions with victims and enhances victims' participation with justice system efforts to address violence against women.

The Grants to Encourage Arrests program offers jurisdictions the funding needed to establish programs and policies that favor arrest and prosecution of domestic violence.

? Eighty-two percent of grantees funded domestic violence training—most related to training of law enforcement officers.

? Seventy percent of grantees reported new or improved victim services.

? Sixty-seven percent of grantees developed law enforcement policies, including arrest and related procedures, and services for victims and child witnesses.

? Fifty-two percent developed new prosecution policies, including those related to evidence based prosecution and victim safety planning.

? Approximately two-thirds created or enhanced either specialized law enforcement or prosecution units.

#### Is It Working?

? One study reports that warrantless arrests of domestic violence suspects—based on probable cause—increased from 4.1% of all arrests to 15.5 % during the grant period.

? In Queens, New York, the Office of the Borough President uses grant money to fund a



unit comprised of additional prosecutors and support staff to prosecute misdemeanor domestic violence cases, and victims' advocates to provide services to victims. They have seen an increase in domestic violence convictions of 100%, and provide counseling to approximately 1000 victims.

? In San Diego County, specialized police units were trained to deal with victims non-judgmentally and sensitively, resulting in greater victim safety. In addition, the implementation of these units increased the number of abuser arrests from 35% to 52%.

? A study of the specialized domestic violence court in Lexington County, South Carolina, noted that the court handled over 2,000 cases from its inception in 1999 to 2003. That study further pointed out that recidivism rates dropped as the number of arrests rose.

? In Austin, Texas, funds were used to create the Family Violence Protection Team, which consisted of detectives and victim witness specialists from the police department and county sheriff's office.

#### Court Improvement Program

Through the STOP grant program, court systems have received VAWA funding to enact and enhance policies and procedures to deal with domestic violence. This funding has been used to train judges and court staff, to develop judicial resource guides, to support programs for victims, to support specialized courts or dockets, and to hire court staff, including much needed interpreter services.

? In Washington, DC, funding was used to establish two Domestic Violence Intake Centers—one at the courthouse and another in the community—to provide central locations for victims to receive services, including completing petitions for protection orders, safety planning, and social service agency referrals.

? In Baltimore County, Maryland, the Governor's Office of Crime Control & Prevention used VAWA funding to fund a Protective Order Advocacy and Representation Project, providing advocacy and representation to victims of domestic violence.

? The State of Michigan has created two benchbooks, dealing with law and procedures in cases of domestic violence and sexual assault. The materials are made available through the state Supreme Court website.

? A specialized domestic violence court was established in Dallas County, Texas, which handles cases involving domestic violence, stalking, violation of court protective orders, and harassment.

? In Oregon, the state held five advanced domestic violence trainings with the goal of providing a consistent response to domestic violence in juvenile, criminal, domestic relations, and restraining order dockets.

As part of the STOP program, the court improvements program has been a great success.

VAWA 2005 will expand on that by creating a program that focuses specifically on continuing these court successes by: improving court responses to domestic violence through training, improvement of court case management, and the development of best practices; focusing on the improvement of internal court functions in both civil and criminal divisions; providing for victim services within courthouses and educating court personnel; and, proposing the development of a national judicial training curriculum.

## TITLE II - IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

In the past ten years, we have learned that it is crucial to improve access to the justice system for victims of domestic violence, dating violence, sexual assault, and stalking, but we have also learned that to truly improve outcomes we must help some populations overcome unique obstacles to achieving safety.

? Underreporting of sexual assault in rural communities is a particular problem due to the relationship between victims, abusers, and the community along with the geographic isolation of many victims and their families.

? Elder abuse is primarily a problem of domestic abuse, with 90% of victims battered by family members. Elderly victims are also less able to escape the abuse because of failing health and financial dependence.

? Domestic violence against disabled victims goes highly unreported and untreated because of their increased dependence on their batterers and fears of abandonment and isolation.

? Immigrant women who are victims of domestic violence are also less likely to report attacks and are more difficult to provide services to based on language barriers.

? Services for elderly, disabled, and immigrant victims are sorely lacking and inadequate.

### Rural Domestic Violence Programs

Geographic isolation, kinship ties, and other social and cultural pressures work to keep victims of domestic violence in rural areas with their batterers. VAWA's Rural Domestic Violence and Child Abuse Enforcement Assistance program works to provide services by encouraging stronger collaboration between victim services, law enforcement, and others in the community.

? In northwest Iowa, the Greater Rural Access and Intervention Network (GRAIN) has used VAWA funding to create satellite offices in seven rural counties. GRAIN engages in a public awareness campaign to alert women to the issues of domestic violence and to the services they offer.

? In Colorado, the Arkansas Valley Resource Center was able to serve 50% of victims in Bent and Crowley counties, up from 12% prior to VAWA funding, due to the establishment of satellite offices.

? In Sussex County, Delaware's most rural county, The People's Place II developed a

new program to help child witnesses of domestic violence.

? The Refuge House in Tallahassee, Florida, served 1,100 residents in 7 rural counties, an increase of 633% compared to services delivered prior to VAWA.

? In Utah, seven new Rape Crisis Centers have been established in rural communities.

? According to Debbie Bresette, Executive Director of the Bastrop County Women's Center in Bastrop, Texas, the Family Crisis Center saw a 66% increase in services provided, which was "directly relate[d] to the funding from the Rural Domestic Violence and Child Victimization program."

? The Louisiana Coalition Against Domestic Violence used VAWA funding to facilitate the opening of 9 new offices in previously unserved rural parishes. In Cameron Parish, the number of served victims rose from 6 to over 100 after the office was established.

? Women Helping Battered Women in Burlington, Vermont, used rural funding to increase the number of women served 138% from 1993 to 2003. They also saw a 222% increase in the number of women represented.

#### Services for Victims with Disabilities and Victims in Later Life

Funds from these programs are used to train victim service providers, law enforcement officers, court personnel, prosecutors, and others in the criminal justice system to identify and serve victims with disabilities and victims in later life.

Studies show that women with disabilities are more likely to be the victims of abuse and violence than women without disabilities because of their increased physical, economic, social, or psychological dependence on others. In cases of domestic violence, women with disabilities stay with their batterers almost twice as long as do women without disabilities, because of a fear of abandonment or institutionalization.

Unfortunately, service providers are not fully equipped to deal with the special circumstances facing victims with disabilities. Only 35% of shelters surveyed have disability awareness training for their staff and only 16% have a dedicated staff person to deliver services to women with disabilities.

Reports show that victims of elder abuse are harmed primarily by family members (89.7%). Further, reports show that women are the most likely victims of elder abuse (76.3%). Only 23% of older victims are able to care for themselves. And, most victims (over 76%) are dependent on others for at least some of their care. This helps lead to the fact that most elder abuse goes unreported.

? The Wisconsin Coalition Against Domestic Violence used VAWA funding to grow a statewide system assisting victims of elder abuse into the National Clearinghouse on Abuse in Later Life.

? Since 1995, Project Target in Delaware has provided services to women 50 and over in Kent and New Castle Counties.

? The St. Martin Elderly Abuse Program in Louisiana, provides train-the-trainer sessions

on physical and sexual abuse of elderly and disabled victims.

? In Austin, Texas, Safe Place uses VAWA funding to run a national training program that trains advocates working with victims of domestic violence and sexual assault who have disabilities.

VAWA 2005 would focus on the development of collaborative partnerships between victim services organizations and organizations serving individuals with disabilities. It would also add construction and personnel costs for shelters to better serve victims with disabilities and would allocate funding toward the development of model programs that place advocacy and intervention services within organizations serving individuals with disabilities.

VAWA 2005 raises the authorization levels for services provided to elderly victims to \$10 million annually. These funds will be used to educate law enforcement, prosecutors, and other relevant government and tribal entities in recognizing the signs of elder abuse and responding accordingly. Funds will also be available to enhance services provided and ensuring physical access to the buildings where services are rendered

#### National Domestic Violence Hotline

The National Domestic Violence Hotline, housed in Texas, is a 24-hour, national toll free hotline that receives over 500 calls a day from victims and others regarding violence in their lives. Since 1996, the Hotline has responded to more than 1,240,000 calls. It provides invaluable information, crisis counseling, and referrals in 150 languages. Operators at the Hotline use a sophisticated system to directly connect victims with service providers in their immediate areas, wherever they are across the country. The Hotline has seen an increase of 15% in the number of calls it received in the last year. This is a 134% increase over the number of calls the Hotline received in its first years.

The intervention of the National Domestic Violence Hotline made a crucial difference in the lives of the following women, as it has for thousands of others.

One woman called the Hotline from a phone booth. Her partner had beaten her, stolen her vehicle, and then left her stranded on the side of the road. She was covered in blood. She did not want to call the police or go to the hospital—she just wanted to go somewhere safe. The Hotline advocate was able to find her a shelter and connect the call to it directly. The caller had no money and did not know where she was, but the shelter was able to identify her location by a landmark and told her they would come and pick her up. She said that no one but the Hotline advocate had offered to help her. People passed her, saw her drenched in blood, and did nothing.

The Hotline received a call from a woman who fled from her batterer in Florida to Seattle, WA. She originally called the Hotline to be connected to a shelter that was waiting for her to arrive. Three different shelters told her that they were full and would not be able to help her and her child. When the victim contacted the Hotline the fourth time, she was crying and the Hotline advocate offered to stay on the line with her while they tried to get “New Beginnings” on the line. Even though the shelter was full, they agreed to help the victim by taking her and her child in.

VAWA 2005 would increase funding for the National Domestic Violence Hotline from \$3.5 million to \$5 million over the next five years.

## TITLE VI – HOUSING OPPORTUNITIES AND SAFETY FOR BATTERED WOMEN AND CHILDREN

The link between homelessness and domestic violence is both overwhelming and undeniable. A staggering 92% of homeless women have experienced severe physical or sexual abuse at some point in their lives. Sixty percent of all homeless women and children, have been abused by age 12, and 63% have been victims of intimate partner violence as adults.

Homelessness does not cause domestic violence but rather the opposite—domestic violence frequently forces women into homeless. Fifty percent of homeless women and children are fleeing domestic violence, and 38% of all victims of domestic violence become homeless at some point in their lives. Among cities surveyed by the US Conference of Mayors, 44% identified domestic violence as a primary cause of homelessness.

Advocates and victims consistently report that housing is a primary need for victims, and is crucial to the ability of a battered woman and her children to escape an abusive relationship. Unfortunately, victims of domestic and sexual violence experience major barriers in obtaining and maintaining housing, and victims most often return to their abusers because they cannot find long-term housing. Even worse, victims and their families across the country are being discriminated against, denied access to, and even evicted from public, subsidized, and private housing because of their status as victims of domestic violence or the abuse perpetrated against them.

The housing title of the Violence Against Women Act of 2005 will improve safety for victims by bringing desperately needed resources, collaborations, and protections to help end homelessness and domestic and sexual violence. Rather than creating large new programs, VAWA will ensure that existing housing resources are available to victims and will build partnerships that benefit from established connections within the community. To accomplish this, the housing title of VAWA has two prongs: developing stable housing options for victims and ensuring the accessibility of existing housing resources.

### Developing Stable Housing Options for Victims

Helping victims access stable, long-term housing is a critical element of VAWA's approach to reducing homelessness. The average stay at an emergency homeless shelter is 60 days, while the average length of time it takes a homeless family to secure housing is 6–10 months. Many domestic violence shelters are unable to house families for longer than 30 days, in order to allow space for individuals in immediate danger. However, due to the length of time it takes to find housing, battered women are staying longer in emergency domestic violence shelters, and the shelters are frequently full and must turn families away. Requests for emergency shelter by homeless families with children increased in 78% of U.S. cities surveyed in 2004. In the same year, 32% of the requests for shelter by homeless families went unmet due to the lack of emergency shelter beds available.

Transitional and long-term housing options are necessary for many women to move from emergency shelter into permanent housing of their own. Shelters in counties with no transitional housing report that women must often return to the shelter because they are unable to secure housing away from their abusers. Shelters with transitional housing report much lower recidivism rates. In fact, the majority of battered women in transitional housing programs state that had these programs not existed, they would have returned to

their abusers. When afforded residential stability, homeless persons are considerably less likely to return to emergency shelter.

? Modeled after extremely successful affordable housing, community development, and “housing first” programs across the nation in urban, suburban, and rural areas, VAWA would fund collaborative efforts to create permanent housing options for victims that help develop communities and leverage private dollars.

? VAWA would also expand the existing transitional housing program for domestic violence victims and their children authorized by the PROTECT Act and administered by the Office on Violence Against Women in DOJ.

### Ensuring the Accessibility of Existing Housing Resources

Unfortunately, existing housing resources are often not accessible for, and may be denied to, victims of domestic violence. Many victims of domestic violence have been evicted or denied housing due to the crimes committed against them or because of their abuser’s actions. Landlords often threaten victims with penalties or evictions, or unfairly hold victims accountable for the behavior of their abusers. Consequently, victims express fear of calling law enforcement if they are in danger because they are concerned they will be evicted. Landlords also frequently turn away victims who have protection orders or other indications of their status as victims of domestic violence. Some advocates advise battered women not to seek protection orders because seeking this legal protection may place their housing in peril.

Domestic violence advocates and legal service providers across the country report these disturbing cases. **In a recent nationwide survey, legal service providers reported 580 documented cases where victims were evicted due to the violence committed against them.** This represents approximately 10% of the total eviction cases addressed by these providers. The same providers handled 309 documented cases where victims were denied housing because of their status as victims of domestic violence—29% of all their housing denial cases.

But numbers cannot capture the human tragedy of a woman who is evicted or denied housing because she has been battered or because she has sought help from the criminal justice system in ending the abuse.

Dorothea Thomas, 39, from Jacksonville, North Carolina, dated Tyrone Burks, 45, for about two years, and then broke up with him in March 2005. On June 24, 2005 Tyrone came to Dorothea’s home at Liberty Crossing Apartments and began to shoot at her. After being shot once, Dorothea tried to escape by hurling herself from the second-story balcony of her apartment. The ex-boyfriend then shot her five more times outside her apartment before leaving. Dorothea, who had worked for the Jacksonville Police Department, suffered wounds in her chest, arm, hand, thigh, and buttocks. She also had a foot injury from jumping from the balcony in order to save her life. When Dorothea returned from the hospital on June 29, there was a note on her door from her apartment owners saying that she had violated her lease because she and her uninvited guest had been “too loud” and that they threatened “the rights, comfort, health, safety, or convenience of others in or near the apartment community, disrupting our business operations.” Dorothea, her 3-year-old son and 18-year-old niece are currently struggling to maintain their housing.

“Tammy” from Iowa had been staying at the battered women’s shelter. She asked the police to “drive-by” her apartment complex (where she had a Section 8 voucher helping her to pay the rent) before she went home to make sure that her abuser was not there. She had a protective order in place. The police found her batterer at the unit and arrested him for violating the protective order. Tammy received a notice from the Public Housing Authority that they were terminating her assistance because the arrest of her abuser broke the lease, which states, “The tenant shall not disturb the peaceful enjoyment of the neighbors.” No neighbors had complained.

In June 1988, Deborah O’Neil in was shown a vacant apartment in Salem, Massachusetts. She applied to rent the apartment, was accepted, and, on July 7, she entered into a lease with the owner. That same day, Deborah obtained an order of protection against the father of her children prohibiting him from coming near her or her residence. On July 11, the apartment owner learned of the protective order, and, the next day, decided to no longer rent to Deborah.

On February 29, 2000, Aaronica Warren in Ypsilanti, Michigan, was assaulted in her apartment by a former boyfriend. That same day, she reported the attack to the police. On March 8, 2000, she received a Notice of Termination of Tenancy stating that she was being evicted because of “criminal activity” on the premises of her apartment. The “criminal activity” was her own victimization by domestic violence.

In Manchester, New Hampshire, “Michelle” went on a few dates with a man, but she didn’t like him and didn’t see him anymore. However, he stalked her and one night, while she was watching a movie with her friend, this man broke into the apartment through the sliding glass door and beat Michelle and her friend severely. The police were called, and Michelle was bleeding and needed to be taken to the hospital. The landlord promptly evicted her, saying that he “didn’t want this kind of [explicative deleted].” The police tried to advocate for Michelle, explaining that the incident wasn’t her fault, but the landlord said that he didn’t care and evicted her.

A few years ago, Linda’s husband assaulted her in their New York City Housing Authority (NYHCA) apartment. He was arrested, and Linda obtained a criminal court order of protection excluding him from the residence. She informed NYCHA of what had happened, and NYCHA subsequently moved to evict both Linda and her former husband from the apartment because of the assault.

On the morning of August 2, 1999, Tiffanie Ann Alvera from Portland, Oregon, was physically assaulted by her husband in their government-subsidized two-bedroom apartment. The police arrested her husband, placed him in jail, and charged him with assault, for which he was eventually convicted. That same day, after receiving medical treatment for the injuries her husband inflicted, Tiffanie went to court and obtained a restraining order prohibiting him from coming near her or into the apartment complex where they lived. When she gave the resident manager of the apartment complex a copy of the restraining order, she was told that the management company had decided to evict her as a result of the incident of domestic violence. Two days later, Tiffanie’s landlord served her with a 24-hour notice terminating her tenancy. The notice explained that she was being evicted because “[y]ou, someone in your control, or your pet, has seriously threatened immediately to inflict personal injury, or has inflicted personal injury upon the landlord or other tenants.” The notice referred to the August 2 incident in which Tiffanie was injured.

“Ronda” in Cedar Rapids, Iowa had a Section 8 voucher that helped her pay her rent. She lived with her four children and her boyfriend. In July 2001, her boyfriend assaulted her, and she ended her relationship with him. He moved out, and she removed him from her lease. Ten days after the assault, she received notice from the local housing agency that her Section 8 assistance was being terminated because of her boyfriend’s violent criminal activity. With the loss of the Section 8 assistance, Ronda was unable to pay her rent. Clarabelle and her abuser were married and lived in his house in New York. When Clarabelle found out she was carrying quadruplets, her husband became abusive and tried to force her to abort three of them. He hit her, forced her to sleep on the floor, and kicked her. He also refused to help her to the hospital when she went into early labor. In late 2002, Clarabelle obtained a protective order against her husband and, after some months, a Section 8 housing voucher. During her search for an apartment in 2003 and 2004, a number of landlords, all on Staten Island, told her that they would not rent to a victim of domestic violence either because they were afraid that her abuser would “cause trouble” and bother the other tenants or because they simply believed that domestic violence victims were not the kinds of people they wanted to have in their neighborhood. One landlord initially said he would accept her Section 8 voucher, but then when she told him why she had been approved for a voucher (due to domestic violence), the landlord refused to rent to her.

In Rockingham County, North Carolina, the police were called to a house for domestic violence, but the perpetrator was not at the house when they arrived. On the second call to the house, no one was present but both the front and back doors were broken in and blood was splattered throughout the house. The victim was finally located, but she was not willing to file any charges or complete an application for a protection order for fear of being evicted. Legal services assisted the victim in finding a donation of two doors to replace the damaged ones. However, her landlord found out about the incident, had the power turned off in the residence, and filed eviction papers.

The housing title of VAWA contains several strategies to protect the housing of victims of domestic violence while allowing the public housing agency or private landlord to hold the abuser accountable and maintain a safe environment for all tenants.

? VAWA provides grants to assist public housing authorities and other housing providers to respond to domestic violence, dating violence, sexual assault, and stalking in a manner consistent with best practices. The grants will be used for education and training, development of policies and practices, collaboration with victim service providers, and capital improvements designed to improve tenant safety, as well as for training for all public housing authorities. These women are faced with a terrible choice—tolerating their abusers in order to maintain housing or risking homelessness by notifying the authorities.

? To ensure that victims of domestic violence have access to the criminal justice system without jeopardizing their current or future housing and are not held accountable for crimes committed against them by their abusers, VAWA 2005 would amend the federal regulations governing the public housing and Section 8 statutes to specify that victims of domestic violence and stalking be treated like other victims of crime and should not lose their housing because of their victimization. It will also help housing authorities reduce crime and maintain safety for all residents by enabling victims to hold their perpetrators accountable and reach out for help in ending the abuse.



The bill states that incidents of abuse shall not be good cause for terminating a lease held by the victim, and that the abuser's criminal activity directly related to abuse and beyond control of the victim shall not be grounds for eviction or termination. Victims must certify that the incident in question meets the requirements of the statute, and the language clarifies that victims can be evicted for other lease violations or if their continued tenancy poses a threat to the safety of others in the community.

By providing housing resources and protections to victims, Congress has the unique ability to reduce homelessness while also helping to end domestic violence. Rarely does Congress have the opportunity to create such a profound result while spending so little money.

#### CONCLUSION

The Violence Against Women Act is working. Service providers, law enforcement officers, prosecutors, judges, and others in the continuum of services are coordinating their efforts to ensure that victims and their families are independent and safe. But the job is not done. In order to continue the progress that we've accomplished over the past ten years, we must strengthen VAWA so that it can work for all victims of domestic violence, whether they live in rural or urban areas, whether they are children or elderly victims, whether they speak English or another language—every victim deserves the chance to escape from violence.

Congress has a unique opportunity to make a difference in the lives of so many by reauthorizing the Violence Against Women Act with key and strategic improvements.