



## **VIOLENCE AGAINST WOMEN ACT (VAWA) KEY RECOMMENDATIONS**

The Violence Against Women Act (VAWA) responds to the insidious and pervasive nature of domestic violence, sexual assault, dating violence, and stalking, and supports *comprehensive, effective and cost-saving* responses to these crimes. It was enacted in 1994, and reauthorized in 2000, 2005, and 2013. VAWA is again up for renewal in 2018. VAWA programs, administered by the Departments of Justice and Health and Human Services, give law enforcement, prosecutors, judges, and community agencies the tools they need to keep communities safe while supporting victims. VAWA-funded programs and protections have improved the national response to domestic violence, sexual assault, dating violence, and stalking. More victims are coming forward and receiving lifesaving services to help them move from crisis to stability, and the criminal justice system has improved its ability to protect victims and hold perpetrators accountable.

**We support a VAWA reauthorization with key improvements and no rollbacks of current protections and provisions. Our priorities for VAWA 2018 include:**

### **PROTECT VICTIM PRIVACY AND CONFIDENTIALITY**

- Allow grantees to use technology to protect victim privacy.
- Extend advocate confidentiality beyond the death of the victim so victims feel free to communicate fully with their advocates without concern for reputation, civil liability, or possible harm to friends or family.
- Clarify that VAWA confidentiality applies to federal and state agencies seeking information from grantees.

### **IMPROVE HOUSING PROTECTIONS**

VAWA 2005 and VAWA 2013 included landmark housing protections for survivors. Existing statutory protections and HUD rules are essential to providing basic protections for survivors of VAWA crimes. However, more must be done to ensure compliance with these requirements and close gaps that leave many survivors without a safe place to live. Specifically, in the 2018 VAWA reauthorization, Congress should amend VAWA's housing provisions to:

- Clarify and allocate funds towards the emergency transfer process.
- Clarify that victims should not be evicted based on criminal activity of the perpetrator.
- Delineate a "family break up" procedure that would allow the survivor to maintain the housing subsidy.
- Allow early lease termination.
- Advance a clear enforcement mechanism to ensure that providers and individuals are adhering to the law and that there is a recourse for survivors when their VAWA rights are violated.
- Create a Violence Against Women director position at HUD.
- Create a data collection process and prohibit retaliation for using VAWA protections.
- Prohibit nuisance ordinances (which disproportionately impact domestic violence survivors).

### **INVEST IN PREVENTION**

To end domestic and sexual violence, we must invest in prevention strategies that stop abuse and violence before it starts.

- Increase the authorization of the Rape Prevention & Education Program (RPE) to \$150 million (current authorization is \$50 million) and specifically include sexual harassment to its authorized use.
- Increase funding for VAWA Consolidated Youth grants. Prevention education that engages men and boys as allies and promotes healthy relationships is key to reducing gender-based violence.

## **EXPAND ACCESS TO SAFETY, SERVICES, AND JUSTICE**

- End impunity for non-Native perpetrators who commit domestic violence against children, sexual assault, stalking, or trafficking on tribal lands. A 2016 study from the National Institute for Justice (NIJ), found that approximately 56% of Native women experience sexual violence within their lifetime, with 1 in 7 experiencing it in the past year. We urge amendments to 25 USC 1304 that will:
  - address jurisdictional gaps and ensure that the tribal criminal jurisdiction provision included in VAWA 2013 fully achieves its purpose (including language that addresses sexual assault, stalking, trafficking, child abuse, and attendant crimes within the criminal justice process);
  - create a permanent authorization for DOJ's Tribal Access to National Crime Information Program;
  - improve the response to cases of missing and murdered women in tribal communities;
  - address the unique barriers to safety for Alaska Native women; and
  - reauthorize VAWA's tribal grant programs.
- Allow VAWA-funded legal services to provide more comprehensive services to survivors.
- Promote economic security for survivors by:
  - Expanding eligibility for unemployment insurance;
  - Creating protections from discrimination in employment based on one's status as a victim;
  - Funding research into the economic impacts of victimization on college students; and
  - Focusing on public education that is related to economic abuse and economic security for victims.
- Train healthcare providers to better recognize and respond to domestic violence, dating violence, sexual assault, and stalking across the lifespan.

## **REMOVE BARRIERS**

- Ensure compliance with VAWA non-discrimination requirements and guarantee equal access to VAWA protections for all victims regardless of gender, especially those from marginalized communities.
- Allow communities to implement alternative justice responses that are focused on victim autonomy, agency, and safety to provide resolution and restitution for victims.
- Increase the cap on expenditures requiring Deputy Attorney General approval to allow DOJ's Office on Violence Against Women to more easily provide oversight and support for VAWA trainings.
- Remove the use of bench warrants and other body attachments to compel victim cooperation and testimony, as they are traumatizing for the victim and counterproductive in encouraging victims to cooperate.
- Respond to the trauma of incarceration on women and their family members, especially their children.
- Improve healthcare services and trauma-informed responses to better prepare incarcerated women to return to their communities.
- Improve enforcement of current federal domestic violence-related firearms laws and close loopholes to reduce firearm-involved abuse and intimate partner homicide.

### **About NNEDV**

The National Network to End Domestic Violence (NNEDV) represents the 56 state and territorial coalitions against domestic violence. As a leading national voice against domestic violence, NNEDV fights to make the elimination of domestic violence a national priority, change the way society responds to domestic violence, and strengthen advocacy at the national, statewide, and local levels.