STATEMENT FOR THE RECORD OF

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“THE INCREASED IMPORTANCE OF THE VIOLENCE AGAINST WOMEN ACT IN TIMES OF ECONOMIC CRISIS”

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Testimony of Susan B. Carbon, Director  
Office on Violence Against Women  
United States Department of Justice  

“Our Increased Importance of the Violence Against Women Act  
in Times of Economic Crisis”  
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Introduction

Thank you Chairman Leahy, Senator Sessions, and members of the Committee for the opportunity to speak with you today. My name is Susan Carbon, and I am the Director of the Office on Violence Against Women (OVW) in the Department of Justice. I am here today to discuss the vital role that the Violence Against Women Act (VAWA) has played in the efforts of the Department of Justice and our partners to end violence against women in our nation, and to highlight the importance of VAWA programs and policies in times of economic stress.

This Administration is dedicated to building on the achievements of VAWA and ending violence against women. For the first time the White House has a Senior Advisor on Violence Against Women, Lynn Rosenthal, with whom I am privileged to work closely. I am also honored to work for an Attorney General who is personally committed to these issues.

In September 2009, the Department of Justice launched a year-long campaign to commemorate the 15th anniversary of President Clinton signing VAWA into law. The objective of the campaign is to raise public awareness about issues around violence against women, to build and renew coalitions among Federal, State, local and Tribal law enforcement and victim services communities, and to end stalking, sexual assault, domestic and dating violence for men, women and children across the country. We have enlisted the assistance of our U.S. Attorneys, other federal agencies, diverse ethnic and cultural communities, and celebrities including actors, singers, authors and professional athletes to engage a broad audience. We view this campaign not only as a vehicle to honor the accomplishments of the past 15 years, but as a platform for a continued call to action. I am so pleased to be able to join you today to begin the conversation about how we can take the next steps toward ending the cycle of violence that so often begins with violence against women.

The Violence Against Women Act

In recognition of the severity of the crimes associated with domestic violence, sexual assault, and stalking, Congress first passed the Violence Against Women Act in 1994. The federal law takes a comprehensive approach to violence against women by combining tough new penalties to prosecute offenders with programs to aid the victims of such violence. As a result of Congress’s efforts to develop a comprehensive legislative package aimed at eradicating violence against women, we have witnessed a paradigm shift in how the issue of violence against women is addressed in the United States, and countless lives have been positively impacted.
One of the signature achievements of VAWA is the development of the concept of a coordinated community response. In the years since VAWA’s enactment, we have witnessed a sea-change in the ways that communities respond to violence against women. VAWA encourages jurisdictions to bring together stakeholders from diverse backgrounds to share information and to use their distinct roles to improve community responses to violence against women. These players include, but are not limited to: victim advocates, police officers, prosecutors, judges, probation and corrections officials, health care professionals, leaders within faith communities, and survivors of violence against women.

With Congressional reauthorizations in both 2000 and 2005, Congress has shown an ongoing willingness to assess what is working and meet emerging challenges. Specifically, the VAWA 2000 reauthorization strengthened the original law by improving protections for battered immigrants, elderly victims, victims with disabilities, and victims of dating violence. In addition, it improved the enforcement of protection orders across state and tribal lines. VAWA 2005 continued to improve upon these laws by providing an increased focus on the access to services for underserved and vulnerable populations, including sexual assault survivors, teen victims, children exposed to violence, and American Indian and Alaska Native women. VAWA 2005 also provided new resources to assist victims of sexual assault and stalking and provided a means for communities to build an effective coordinated community response to these crimes.

The Office on Violence Against Women (OVW) was created, in part, to implement those portions of VAWA and subsequent reauthorizing legislation that fall under the jurisdiction of DOJ. OVW’s mission is to provide national leadership to improve the Nation’s response to crimes of domestic violence, stalking, sexual assault, and dating violence. The Office administers financial support and technical assistance to state, local and tribal communities across the country and in our territories that are creating programs, policies, and practices aimed at ending these crimes.

**Criminal Prosecutions Under VAWA**

In addition to ensuring services for victims and improving the justice system response to violence against women, VAWA and subsequent legislation created new federal interstate domestic violence, stalking and firearms possession crimes, strengthened penalties for repeat sex offenders and repeat domestic abusers, addressed prosecution of violations of protection orders, and required states, tribes, and territories to give full faith and credit to protection orders issued by other states, tribes and territories. VAWA encourages federal prosecutors to work closely with state, local and tribal prosecutors to ensure that batterers, stalkers, and rapists are held accountable for their crimes.

Since the enactment of VAWA, the Justice Department has prosecuted more than 2600 cases under both the criminal interstate provisions and the Gun Control Act provisions that target domestic violence abusers. Often these cases involve the most aggressive and violent abusers who cross state lines to pursue their victims. In addition, strengthening of the cyberstalking laws has allowed the Department of Justice to prosecute cases using the latest technology in a way that would be difficult for the states to pursue.
Grant Programs Authorized by VAWA and Subsequent Legislation

The VAWA grant programs administered by OVW support a broad range of activities designed to serve victims and hold offenders accountable. At present, OVW administers two formula grant programs and 19 discretionary grant programs, all of which were established under VAWA and subsequent legislation. Taken together, these programs address a host of different issues that communities face in responding to violence against women, including: the importance of training police, prosecutors, and court personnel; the unique barriers faced by rural communities; the critical need of victims for legal assistance, transitional housing, and supervised visitation services; the special needs of elderly victims and those with disabilities; and the high rate of violence against American Indian and Alaska Native women.

VAWA grant programs fund States, Territories, local governments, Tribal governments, and nonprofit organizations to help communities across America develop innovative strategies to respond to violence against women. With VAWA funding, communities are forging effective partnerships among Federal, State, local, territorial, and Tribal governments, and between the civil and criminal justice systems and victim advocates, and are providing much-needed services to victims. Since 1995, grants and cooperative agreements totaling over $4 billion have been awarded to communities across the United States under the VAWA programs. VAWA-funded services reach hundreds of thousands of victims every year. For example, in the six-month reporting period from January to June 2009 alone, OVW grantees reported that:

- More than 125,300 victims were served;
- Over 253,000 services (including shelter, civil legal assistance and crisis intervention) were provided to victims;
- More than 3,400 individuals were arrested for violation of protection orders; and
- 261,622 protection orders were granted in jurisdictions that receive funding from OVW’s Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (Arrest Program).

The resources authorized by VAWA and subsequent legislation have never been more important than they are today. In the best of economic times, a victim worries about finding a job and housing and providing for her children; these problems intensify during a recession. During an economic downturn, a victim of domestic violence faces additional obstacles to leaving her abuser: Shelters and service providers that serve victims have been facing economic crises of their own: State funding cuts and declining charitable donations threaten their ability to survive and serve. As documented in a national census of domestic violence services conducted by the National Network to End Domestic Violence on one day in September, 2008, 8,927 requests for services went unmet due to lack of resources. When the census was re-conducted in September, 2009, that number had risen to 9,280 unmet requests. The National Domestic Violence Hotline, which was created by VAWA and is administered by the Department of Health and Human

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Services (HHS), reports that calls to the hotline increased 19.4% in the 12 months following September 2008. A shelter in Dane County, Wisconsin compared their service numbers for the first quarter of 2008 with the first quarter of 2009 and found a 44% increase in persons sheltered, a 74% increase in crisis response, and an astounding 124% increase in calls to the crisis line requesting information about shelter.3

I commend Congress for recognizing these issues and providing additional funding to VAWA programs through the American Recovery and Reinvestment Act of 2009 (Recovery Act), which provided OVW with $225 million for grants to combat violence against women and serve victims of domestic violence, dating violence, sexual assault and stalking. We know that this funding has reached its intended recipients and is being used to preserve services, fund new positions, and help victims find safety and economic stability. As of the end of the last fiscal quarter, March 31, 2010, recipients of Recovery Act funds reported funding nearly 1,400 full-time-equivalent (FTE) positions. To take one example, the State of Alabama has reported that STOP Recovery Act funds are supporting 31 FTEs, including court personnel, sheriffs’ deputies, victim service officers, intake advocates, prosecutors, court advocates, sexual assault nurse examiners, crisis line coordinators, counselors, and shelter managers.

**VAWA Support for Training, Education, and Sharing of Promising Practices**

Over the past 15 years, we have learned that truly effective coordinated community responses must be informed by the experiences of survivors and must be broad enough to include a diverse group of community partners that affect the safety of survivors and the accountability of perpetrators. Communities now recognize the specialized needs of victims and the training required to effectively handle all domestic violence and sexual assault cases.

Federal funds awarded under grant programs authorized by VAWA and subsequent legislation have supported vital training and technical assistance to ensure that professionals have the tools to implement an appropriate response to these crimes. During the four-and-one-half year period from January 2005, through June 2009, OVW’s discretionary grantees reported training more than 1,161,000 individuals, including 191,330 law enforcement officers, 21,649 prosecutors, and 32,265 court personnel. Similarly, during the four-year period of 2004 through 2007 combined, subgrantees receiving funding awarded by States through OVW’s STOP Violence Against Women Formula Grant Program (STOP Program)4 reported training about 1,138,000 individuals, including 347,382 law enforcement officers, 25,715 prosecutors, and 37,775 court personnel.

In implementing VAWA, OVW also works closely with national experts to train, educate, and disseminate promising practices to advocates, clinicians, police, prosecutors, judges, health care practitioners, and many other professionals who are on the front lines. The

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3 Data provided to OVW by the U.S. Dept. of Health & Human Services, Administration for Children and Families, Family Violence Prevention and Services Program.

4 The STOP (Services . Training . Officers . Prosecutors) Violence Against Women Formula Grant Program (STOP Program) was initially authorized under the Violence Against Women Act of 1994 (VAWA) and reauthorized and amended by the Violence Against Women Act of 2000 (VAWA 2000) and by the Violence Against Women Act of 2005 (VAWA 2005).
following five areas of focus illustrate how OVW uses technical assistance funding to support the coordinated community response envisioned in VAWA.

1. **Developing Resources to Support the Issuance and Enforcement of Protection Orders**

   In recognition of the crucial role that protection orders can play in helping victims to escape violence, VAWA requires states, tribes, and territories to give full faith and credit to protection orders issued by other jurisdictions. Since the passage of VAWA, OVW has undertaken a number of activities to assist jurisdictions and professionals with issuing and enforcing protection orders, including:

   - Funding the creation of the National Center for Full Faith and Credit (NCFFC). NCFFC trains law enforcement officers and judges, provides onsite technical assistance to jurisdictions, and tracks State protection order legislation and forms. Since 2005, NCFFC has trained more than 6,700 professionals;

   - Funding the National Council of Juvenile and Family Court Judges (NCJFCJ) to develop “A Guide for Effective Issuance & Enforcement of Protection Orders.” More than 7,600 copies of the book have been provided to professionals working in the domestic violence field. An updated and extensively revised version of the guide will be released in the near future; and

   - Funding the National Center for State Courts to establish “Project Passport” to encourage courts to issue uniform protection orders and thereby enhance nationwide enforcement. Through Project Passport, 33 States and the District of Columbia have adopted uniform coversheets, six States have Passport implementation in progress, and nine other States are exploring the concept. In addition, tribes in 17 States are participating in or implementing Project Passport.

2. **Improving Judicial Response to Violence Against Women Through Judicial Institutes**

   During the 1990s, as law enforcement officials, prosecutors, and other system-based professionals moved to improve their response to domestic violence, the judiciary’s response remained relatively stagnant. OVW therefore launched a significant effort to improve the ways courts respond to domestic and sexual violence. Beginning in 1995, OVW has provided support to Legal Momentum, which instituted the National Judicial Education Program (NJEP) to improve the handling of sexual assault cases. Beginning in 1998, and continuing to the present, OVW has worked closely with the NCJFCJ and the Family Violence Prevention Fund (FVPF) to develop the National Judicial Institute on Domestic Violence (NJIDV).

   With VAWA funding, both NJEP and NJIDV have designed highly interactive, effective education programming to enhance judicial skills and challenge judges’ attitudes and values
about domestic and sexual violence, victims, and perpetrators. To date, NJIDV alone has trained more than 8,600 judges from all 50 States, Puerto Rico, the District of Columbia, Guam, and the Northern Mariana Islands.

3. Supporting the Work of Victim Advocates

OVW and its grantees rely heavily on engaging victim advocates and using their knowledge and expertise as part of an effective and comprehensive response to violence against women. Our work could not be done without the enormous dedication and lifesaving work of advocates and advocacy organizations. As we have learned more about the need to provide comprehensive services for victims, we have come to recognize that we must strengthen advocates’ skills, knowledge and abilities.

To this end, OVW is using VAWA-authorized funds to support a national Advocacy Learning Center (ALC). The goal of the ALC is to strengthen advocacy on behalf of those who are sexually assaulted, battered, stalked, trafficked or prostituted. The ALC teaches advocates how to work more effectively with victims and more strategically with the criminal justice, child protection, and other systems. Participating programs report that the ALC already has changed the way that advocates interact with victims. They tell us that they are working more closely with victims, taking a more comprehensive approach to addressing their needs, staying connected with them after they leave shelter, and using more survivors in their work. Significantly, the programs are shifting from providing only direct services to victims to engaging in a proactive effort with the larger community to end violence against women.

4. Improving the Response of Prosecutors to Sexual and Domestic Violence

OVW also has promoted targeted training for prosecutors to improve their ability to handle both sexual and domestic violence cases. With VAWA-authorized funding, the American Prosecutors Research Institute (APRI), in collaboration with the Pennsylvania Coalition Against Rape and the Battered Women’s Justice Project, has developed national institutes to provide intensive training for prosecutors. From 2005 through 2008, APRI trained 780 participants at 15 domestic violence courses and 282 participants at seven sexual violence courses.

Through a new prosecution initiative, AEQuitas: The Prosecutors’ Resource on Violence Against Women, OVW continues to work with experienced prosecutors to develop, evaluate, and refine prosecution practices that increase victim safety and offender accountability. Since July 2009, the AEQuitas staff of experienced former prosecutors has served as presenters/faculty and facilitators at over 36 different State/regional/national training events, training over 4,050 prosecutors and allied professionals.

5. Legal Assistance for Victims

VAWA recognizes that access to legal services enhances safety for victims and their dependent children. Often, legal services are essential for victims to obtain comprehensive protection orders that will provide for care and custody of children, financial support and housing. Without this crucial assistance, victims may not be able to overcome legal and
economic obstacles to achieving safety for themselves and their children. There is also some body of research that indicates that the increased availability of legal services has significantly contributed to a decline in domestic violence in the United States. Victims of domestic violence, however, often need highly trained attorneys willing to take on lengthy and complex litigation, beyond the protection order hearing and resources for this purpose are woefully inadequate.

Since 1998, OVW has administered the Legal Assistance for Victims (LAV) Program, the primary VAWA-funded vehicle for delivering legal assistance to victims/survivors of sexual assault, domestic violence, dating violence, and stalking. This program has consistently provided services to an average of 39,429 victims during each six-month grantee reporting period. Outside of the LAV Program, limited Federal, State, and local resources are available for these cases. In addition to providing legal services, LAV-funded lawyers and non-lawyer staff provide safety planning, support services, and general advocacy to the victims they represent.

The LAV Program has been at the forefront of providing support for immigrant victims, who often face significant obstacles in reporting crimes, accessing services, retaining custody of their children, and obtaining legal status. In a recent reporting period, January 1 through June 30, 2009, LAV grantees reported assisting over 6,000 victims with immigration matters.

VAWA Provisions Addressing Violence Against American Indian and Alaska Native Women

VAWA 2005 included for the first time provisions specifically aimed at ending violence against American Indian and Alaska Native women. Title IX, “The Safety for Indian Women Act,” honors the government-to-government relationship between the Federal government and tribal governments and aims to strengthen the capacity of Indian tribes to exercise their sovereign authority to respond to violent crimes against Indian women.

As provided by the statute, in October 2006 the Department appointed a Deputy Director for Tribal Affairs for OVW, who oversees OVW’s Tribal Unit, coordinates implementation of Title IX of VAWA 2005, and meets with Tribal leaders nationwide to gain a more intimate understanding of the needs and challenges that tribes face. The Grants to Indian Tribal Governments Program, which consolidated VAWA funding for tribes into a single, flexible program, was launched in Fiscal Year 2007 and has since distributed nearly $95 million to more than 140 Tribal governments, Tribal consortia and Tribal nonprofit organizations to assist Tribal communities. Pursuant to Title IX, DOJ also instituted annual Tribal consultations to discuss how the Department of Justice can improve its response to violence against Indian women. We are currently planning for our 2010 consultation.

With Recovery Act funds, OVW made 35 awards to Tribal governments and their designees totaling over $20 million to decrease the number of violent crimes committed against

Indian women, help Indian tribes use their sovereign authority to respond to crimes of violence against Indian women, and ensure that offenders who commit these crimes are held responsible for their actions. OVW also made 10 Recovery Act awards totaling over $2.6 million to tribal domestic violence and sexual assault coalitions that provide much needed resources for organizing and supporting efforts to end violence against Indian women and provide technical assistance to member programs.

This February, the Department of Justice announced that its grant-making components, including OVW, had created a new streamlined approach for American Indian and Alaska Native communities to apply for Fiscal Year 2010 funding. Tribal leaders had urged the Department that a single application would significantly improve their ability to apply for, and receive, the critical Federal funding on which so many of their communities depend. The Coordinated Tribal Assistance Solicitation (CTAS) builds on the consolidated approach taken to tribal programs in VAWA 2005 and serves as a single solicitation for existing Tribal government-specific grant programs administered by the Department, including OVW’s Grants to Indian Tribal Governments Program and Tribal Sexual Assault Services Program. This coordinated approach will allow the OVW and its sister grant-making components to consider the totality of a Tribal community’s overall public safety needs in making award decisions in Fiscal Year 2010.

Priorities for the Office on Violence Against Women

Although we can all be rightly proud of our accomplishments over the past fifteen years we must also recognize that there is much for us to do in the future. Looking forward, the Office will continue our efforts in the areas mentioned above, while bringing a new focus to a number of areas where we know greater effort is needed. I would like to mention two of these priorities today: prevention and sexual assault.

Prevention

A fundamental priority for our work must be to include prevention activities in our efforts to end violence against women. VAWA has been successful at engaging a broad range of partners to work together to intervene after violent crimes against women have occurred. We must shift from a historical paradigm that has focused on intervention, treatment, and accountability and address the entire cycle of violence at every stage. As we think about reauthorization of VAWA, we must fully incorporate prevention as an essential strategy to ending violence against women.

Children Exposed to Violence

I am privileged to be part of a Justice Department that is fully committed to this mission. The Attorney General has launched an initiative on Children Exposed to Violence to focus on reducing childhood exposure to violence, increasing knowledge and awareness of its implications by advancing scientific inquiry, and reducing the negative impact through intervening with children and their families early in the cycle.
As a family court judge I have seen too often the cycle of violence played out in families through generations. Children who are victimized or who witness violence in their families or communities suffer in unimaginable ways. Their own development can be tragically arrested and they may find themselves later involved with the court system as delinquents, runaways, or even perpetrators of violence against others. These children are at a higher risk for school failure, substance abuse, repeat victimization and perhaps most tragically, becoming violent adults themselves. Earlier intervention might help them to avoid this fate by ending the victim-turned-perpetrator cycle of violence.

Teen Dating Violence

Fifteen years ago, the framers of VAWA did not contemplate intervention in intimate relationships between teenagers, but much has been learned since from research in this area. Studies indicate that adolescents are experiencing violence in intimate partner relationships at alarmingly high levels. According to the 2007 "Youth Risk Behavior Surveillance" survey conducted by the HHS Centers for Disease Control and Prevention (CDC), approximately 10% of adolescents nationwide reported being hit, slapped, or physically hurt by a boyfriend or girlfriend in the past year.  

Congress recognized the need to pay special attention to stemming violence during adolescence through the creation of youth-focused programs within VAWA 2005. These programs include a new focus on prevention work that will help teens distinguish between healthy and unhealthy behaviors in relationships. Our efforts in this area were given a significant boost when the United States Senate, led by Senators Crapo, Lieberman and Whitehouse, introduced a resolution to expand Teen Dating Violence Awareness and Prevention Week to the full month of February. The resolution passed the Senate unanimously in January of this year.

It is imperative that we continue to focus on prevention in adolescence in order to break the cycle of violence that continues into adulthood and future generations. We also need to remember that young people themselves are the cornerstone to defining solutions to this problem.

Homicide Prevention

Another area that calls for a sound prevention strategy is domestic violence homicide. Although the overall rate of female homicide has fallen since 1993, female intimate partner homicide remains a persistent and troubling problem. An estimated 40% of female homicide victims were killed by an intimate partner in 1993; that percentage increased to 45% in 2007. The double tragedy of domestic violence homicide is the realization after the fact, in many cases, that the homicide could have been prevented. Advocates, law enforcement officers, prosecutors,

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and the courts must take aggressive steps to plan for a victim’s safety when risk factors are present. By the time abuse escalates to homicide, it is likely that someone in the family, the neighborhood, or the perpetrator’s or victim’s workplace has been aware that something is terribly wrong. Federal agencies, the research community, criminal justice organizations, and advocacy groups must work together to develop innovative responses to prevent domestic violence homicides.

In my own State of New Hampshire, we created a Domestic Violence Fatality Review Committee to encourage systemic changes to help decrease the number of domestic homicides through inter-disciplinary training and community-based prevention education. It is critical that all partners be involved in identifying high risk factors, gaps in system responses and barriers to safety in domestic violence situations.

Bystander Intervention Training

Bystander intervention training is an innovative program to end violence against women. This prevention model empowers and trains potential bystanders about the causes of sexual violence. It builds on research about community members' expressed willingness to get involved in these issues, and helps to minimize negative long-term consequences for survivors by strengthening informal safety nets in their social and community networks. Although we tend to think of sexual assault as a crime usually involving only two people, a 2002 study using data from the National Crime Victimization Survey revealed that sexual assaults are often witnessed by at least one person in the bystander role.

Sexual Assault

Ending sexual violence is a priority for the Department of Justice. This will require creating a culture where victims feel safe reporting the crime, where they will be treated with respect by all those with whom they come into contact (including the medical profession, law enforcement, and the courts), and where judges and juries will eschew out-dated myths about rape and hold offenders accountable for their crimes. Although much of the original focus of VAWA was on domestic violence, the issue of sexual assault deserves the same degree of attention. It is imperative that we work with all responders to ensure that they understand the dynamics of sexual assault and take these crimes seriously.

We also must support advocacy services for victims to help them heal. Many victims never report to law enforcement and may face a long recovery from trauma. In Fiscal Year 2009, OVW made its first awards under the Sexual Assault Services Program (SASP), which was authorized in VAWA 2005 and is the first federal funding stream solely dedicated to providing direct assistance for victims of sexual assault. Overall, the purpose of SASP is to provide intervention, advocacy, accompaniment, support services, and related assistance for adult, youth, and child victims of sexual assault, family and household members of victims, and those collaterally affected by sexual assault. In Fiscal Year 2009, each State and territory received formula funds through the SASP. These States and territories are currently in the process of making subgrant awards to local programs to provide direct services to victims. We
also funded seven culturally specific organizations, one tribal coalition, and 54 State and territorial coalitions with SASP dollars.

**Violence Against Women Act Reauthorization**

Again, I want to thank you, Chairman Leahy, Senator Sessions and members of the Committee, for the opportunity to testify before you today about the importance of the Violence Against Women Act. As a Nation, we have made great strides. In the past fifteen years, we have changed the way that our communities respond to domestic violence, dating violence, sexual assault and stalking. But, there is still work to do if we are to reach our collective goal of breaking the cycle of violence that plagues families and communities across our country. Looking forward, I cannot stress enough how important it is for Congress to reauthorize VAWA in order to sustain, strengthen, and continue to enhance our Nation’s efforts to end violence against women. I look forward to working together with you and your staff members to consider how VAWA reauthorization can help us respond to the challenges ahead.