

FOREWORD

PROTECTING FAMILIES THROUGH THE LAW: THE VIOLENCE AGAINST WOMEN ACT

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I am honored to contribute to this 50th anniversary volume of the American University Law Review. As students and alumni, you can take great pride in your alma matter. Founded by two women in 1896, the Washington College of Law helped open the legal profession to all women. Today, we're still working to ensure our laws provide justice for women and all citizens.

During my time in the United States Senate, I've had the opportunity to help pass many laws that affect America's working families. Perhaps the most significant, however, was the Violence Against Women Act, which was signed into law in 1994. The Act, known as VAWA, has helped change the way we look at violence against women, and it has helped protect women and children from abuse.

When I first came to the United States Senate in 1993, there were few discussions about violence against women, which includes rape, sexual assault, domestic violence and stalking. At the time, domestic violence was considered a family problem, something people didn't talk about. That climate made it difficult for victims to seek help, and it prevented friends and neighbors from getting involved in what was considered "someone else's business."

Despite the secrecy surrounding it, domestic violence was clearly a major national problem. Every year intimate partners like husbands, boyfriends and dates commit more than one million violent crimes against women. Every ten minutes a woman becomes a victim of domestic assault. Seventy-six percent of women who were raped or

physically assaulted were assaulted by a current or former husband, partner, or date. The time had come for Congress to provide national leadership.

In the early 1990's, a coalition of police officers, judges and victims' advocates came together to raise awareness about violence against women, especially domestic violence. They sought tougher penalties for abusers, and they called for investments in our arrest and prosecution resources. In 1994, these ideas received national attention as the Senate Judiciary Committee held extensive hearings on violent crime, including violence against women. The Committee heard from witnesses representing victims, the courts, law enforcement and social service agencies. Those hearings helped set the groundwork for historic legislation to address violence against women.

The resulting legislation, which I helped to write and pass, marked a dramatic new approach to our response to domestic violence. For the first time, our government recognized domestic violence for what it is—a violent crime and a national public health crisis. The Act set out a coordinated strategy to bring advocates, shelters, prosecutors, and law enforcement professionals together to fight domestic violence with a comprehensive approach. The Act also provided financial and technical support for law enforcement and the courts, including grants to help increase arrests and prosecution.

That funding in research and best practices has taught us a great deal about effective arrest and prosecution policies. We learned the importance of providing separate interrogation rooms for victims and abusers. We learned how to ensure that victims aren't intimidated by offenders while testifying during trial. We learned the importance of allowing police officers to file charges on a victim's behalf when a victim fears retaliation. VAWA-funded programs helped shift the burden of proof from the battered woman to the offender and helped states and communities create domestic violence hotlines.

Looking back on that 1994 law, it is clear that VAWA helped make violence against women a serious criminal justice priority. As the first federal strategy for dealing with domestic violence, the Act created a partnership between the courts, law enforcement and social services. As a result of this partnership, prosecution rates have risen dramatically. The community of Everett, Washington used this cooperative approach to increase its prosecution rate from 39% to 84% in 1998. By 2000, Everett's prosecution rate reached 90%.

In October 2000, Congress continued this progress by reauthorizing VAWA. The reauthorization legislation expanded

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grant programs to provide technical assistance to communities and to the criminal justice system to increase arrests and prosecution. It also strengthened the full faith and credit of protection orders to ensure they are honored in all jurisdictions. In addition, it provided financial support to computerize protection orders so that all law enforcement agencies can access them.

The Violence Against Women Act represents a major step forward. I'm proud of the impact we've made through this historic law. At the same time, our work is not done. We still need to help women escape from the economic factors that trap them in abusive relationships. We still need to address the long-term problems that victims face from insurance and employment discrimination to finding permanent housing. Given our experience with the Violence Against Women Act, I know that we can use the law effectively to protect victims and ensure justice.