

# Violence Against Women Act: Harmful to Families and Children

The Violence Against Women Act was passed in 1994 to stop domestic abuse. Each year the federal government spends \$1 billion for domestic violence programs that have provided needed services to victims and increased public awareness about this important problem.

But VAWA also encourages false allegations, escalates partner conflict, promotes divorce, separates children from their parents, and places kids at a far greater risk of abuse and other problems.

## **Partner Abuse: An Equal Opportunity Problem**

Nearly 200 studies point to the fact that women are at least as likely as men to engage in partner aggression.<sup>i</sup> This is what leading researchers are saying:

*“Differences were observed in the rates of male and female partner violence, with female violence occurring more frequently.”* – Renee McDonald, PhD, Journal of Family Psychology, 2006

*“Recent evidence from the best designed studies indicates that intimate partner violence is committed by both genders with often equal consequences.”* – Donald Dutton, PhD, Aggression and Violent Behavior, 2006

## **False Allegations on the Rise**

State laws define partner abuse broadly. Now, almost anything can be construed as domestic “violence.”<sup>ii</sup> These vague definitions, combined with a variety of perverse incentives,<sup>iii</sup> often lead to false allegations of abuse:

*In 2005 talk-show host David Letterman was charged with domestic violence. He had allegedly harassed a woman he had never met by sending her mental telepathic messages and using televised facial gestures. The case was later dismissed.*

## **Escalates Partner Conflict**

Only 2% of all domestic violence incidents involve married partners who live together.<sup>iv</sup> Clearly, the intact family is the safest place for both men and women.

When physical aggression does occur, it is usually minor – like a one-time push or shove. In such cases, reconciliation is desirable.

But widespread use of restraining orders precludes couples counseling. And once persons get caught up in the system, break-up becomes almost inevitable.

## **Promotes Divorce**

Abuse shelters have been called “one-stop divorce shops” because they discourage women from returning to their partners, even when the abuse is one-time and minor.

And allegations of domestic violence are often used to gain a legal edge in a divorce proceeding. Elaine Epstein, former president of the Massachusetts Bar Association, once revealed, “Everyone knows that restraining orders and orders to vacate are granted to virtually all who apply... In many cases, allegations of abuse are now used for tactical advantage.”

## **Women’s Groups Criticize Domestic Violence Laws**

Women’s groups are saying the Violence Against Women Act hurts families and children more than it helps:

- *Ms. Foundation for Women:* “Unfortunately, when state power has been invited into, or forced into, the lives of individuals, it often takes over.”
- *Independent Women’s Forum:* “Men may become alienated from and hostile to the system in the conviction that it is stacked against them and unjustly favors women.”
- *True Equality Network:* “VAWA has spawned an abuse industry that continually expands the definition of domestic violence and condones the filing of false allegations, while ignoring the needs of true victims.”
- *Eagle Forum:* “VAWA funds the re-education of judges and law enforcement personnel to teach them...how to ride roughshod over the constitutional rights of men.”

## **Places Children at Greater Risk of Abuse and Other Problems**

According to the National Incidence Study of Child Abuse and Neglect, children living with a single parent face a far higher risk of abuse. These children are placed at a 77% greater risk of being harmed by physical abuse.

These children are also placed at an 80% greater risk of sex abuse.<sup>v</sup> They also suffer from a broad range of other problems, including poorer school performance, behavior problems, more injuries, poverty, and crime.<sup>vi</sup>

## **Removes Children from Their Homes**

State intervention into private family matters is now justified on the basis of preventing abuse. Child and Protective Service (CPS) agencies have expanded the definition of child abuse and now say that allowing a child to witness partner aggression is abusive. That becomes the rationale to remove children from their parents, even when no physical abuse has occurred:

*A woman realized she needed to get help for her anger, so she called the local abuse shelter. But instead of arranging for counseling, the shelter informed the local CPS agency.*

*Three weeks later CPS came to the house and removed the children – even though the children had not suffered any physical abuse. The children spent 38 days in foster care. The mother concluded, “These people have no idea the damage they have done.”<sup>vii</sup>*

## **Children Need Two Loving Parents**

Sadly, more than one million children experience divorce every year. Children shouldn't be penalized because of a parental conflict.

But many states allow a mere *accusation* of partner abuse to become the pretext to restrict a child's contact with the other parent.<sup>viii</sup>

*My ex-wife used a domestic violence charge against me so she could take the children out of state. She had no proof and actually told the judge that I was OK but she didn't like my wife.*

*After a year and 25K in expenses, almost losing my job and license for being an accused domestic violence offender, I gave in and let her take my children out of state. And she agreed to drop the charges.*

## **It's Time to Reform VAWA**

The Violence Against Women Act was designed to help women. But VAWA-funded programs have often been found to be ineffective and unresponsive to women's needs, and even place women at greater risk of violence.<sup>ix</sup>

It's hard to think of any other law that has cost the American taxpayer so much, has violated the civil rights of so many, has done so little to help women, has led to the break-up of so many families, and has harmed so many children.

Reform of the Violence Against Women Act is long overdue.



**Respecting Accuracy in Domestic Abuse Reporting**

*The VAWA Reform Coalition, a group of organizations around the country, works to educate the public about VAWA abuse: [www.mediadar.org/docs/VAWA-Reform-Coalition-Declaration.pdf](http://www.mediadar.org/docs/VAWA-Reform-Coalition-Declaration.pdf)*

*For more information, contact:*  
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*E-mail : [info@mediadar.org](mailto:info@mediadar.org)*

<sup>i</sup> Fiebert MS. References examining assaults by women on their spouses or male partners: An annotated bibliography. Long Beach: California State University, 2006.

<sup>ii</sup> RADAR: Expanding definitions of domestic violence, Vanishing rule of law, 2006.

<sup>iii</sup> RADAR: An epidemic of civil rights abuses: Ranking of states' domestic violence laws. 2006.

<sup>iv</sup> Catalano S. Intimate Partner Violence in the United States. Washington, DC: Department of Justice, 2006.

<sup>v</sup> Finklehor D. Sexually abused children in a national survey of parents: Methodological issues. Child Abuse and Neglect Vol. 21, 1997, pages 1-9.

<sup>vi</sup> RADAR: A culture of false allegations: How VAWA harms families and children. 2007.

<sup>vii</sup> Sacks G. Domestic violence system manhandles woman, family. E-newsletter, October 31, 2006.

<sup>viii</sup> RADAR: Perverse incentives, False allegations, and Forgotten children. 2006.

<sup>ix</sup> RADAR: Ten reasons why women say reform of VAWA is overdue. 2007.