

DECLARATION OF THE
VAWA Reform Coalition

1. **Whereas**, the family is the foundation of American society.
2. **Whereas**, research shows that when children are removed from regular contact with one of their parents, they are placed at greater risk of a broad range of academic, emotional, behavioral, and criminal justice problems.¹
3. **Whereas**, the U.S. Constitution provides for a range of civil liberties, including the rights to due process and to equal protection under the law.
4. **Whereas**, the U.S. Supreme Court has stated that “the interest of parents in the care, custody, and control of their children -- is perhaps the oldest of the fundamental liberty interests recognized by this Court,”²
5. **Whereas**, physical aggression between intimate partners is a problem in our society, and extensive research shows that women are at least as likely as men to engage in partner aggression.^{3,4,5}
6. **Whereas**, in 1994 the U.S. Congress passed the Violence Against Women Act which eventually spawned 1,500 civil and criminal laws at the state level.⁶
7. **Whereas**, VAWA funds factually-misleading education programs⁷ that serve to bias and politicize the judiciary and criminal justice system.⁸
8. **Whereas**, state laws define partner abuse broadly⁹ and provide incentives to file questionable and even false allegations of abuse.¹⁰
9. **Whereas**, allegations of partner abuse have become so commonplace that the legal system has become overwhelmed with minor and false claims. Such complaints divert resources away from the true victims of domestic violence,^{11,12} weaken families, send children into single-parent households, and impose additional burdens on taxpayers for social welfare programs.¹³
10. **Whereas**, VAWA-funded programs have engaged in widespread discriminatory practices against male victims of domestic violence,¹⁴ even though Congress intended that men were entitled to such protections.¹⁵
11. **Whereas**, VAWA promotes "pro-arrest" and "primary/dominant/predominant aggressor" laws, policies, and practices which undermine fundamental standards of probable cause and lead to gender-profiling.¹⁶
12. **Whereas**, VAWA-funded programs have been found to have a disproportionate negative impact on low-income African-American and Hispanic communities.¹⁷
13. **Whereas**, the Ms. Foundation for Women has found that “Criminalization of social problems has led to mass incarceration of men, especially young men of color, decimating marginalized communities.”¹⁸
14. **Whereas**, divorce courts in most states are required to consider partner abuse in their child custody determinations,¹⁹ and some courts use trivial or false allegations of partner abuse to separate a child from one of his or her parents,²⁰ thus placing the child at risk.
15. **Whereas**, most instances of partner aggression are minor in nature,²¹ and while such cases may benefit from counseling, they do not require legal intervention.
16. **Whereas**, VAWA-funded programs and policies often prohibit couple counseling and preclude partner reconciliation.
17. **Whereas**, a variety of VAWA programs and policies inappropriately induce family break-up,²² thus depriving children of the love and guidance of one of their parents and placing them at greater risk of child abuse and other problems.²³
18. **Whereas**, many domestic violence programs are ineffective and ideologically-driven,^{24,25} placing victims at greater risk of violence.²⁶

19. **Whereas**, a variety of women's organizations are now calling to reform the nation's domestic violence laws.²⁷

The undersigned organizations FIND that:

1. Most of the existing domestic violence programs are ineffective in reducing abuse and sometimes place victims at greater risk of subsequent violence.
2. Rigid and intrusive VAWA policies and programs often lead to the destabilization of American families, and the break-up of families profoundly harms children.
3. The harmful effects of VAWA are especially pronounced among low-income communities and people of color.
4. Traditional domestic violence programs violate Americans' basic civil rights and undermine due process protections.
5. The preferences and needs of victims are often ignored by rigid domestic violence programs.

Therefore, the undersigned organizations urgently REQUEST that:

1. The mass media, educational institutions, and other interested groups portray the domestic violence issue in an accurate and balanced manner, consistent with objective research.
2. Persons who work in the domestic violence industry, including judges, law enforcement personnel, treatment providers, social workers, and custody evaluators, identify ways to make domestic violence programs more responsive to the needs of the family, children, and alleged victims, while also assuring due process for the accused.
3. Lawmakers begin the process of undertaking the reform of our nation's domestic violence laws, consistent with RADAR's Agenda for VAWA Reform.²⁸

Signed:

Mark B. Rosenthal

RADAR: Respecting Accuracy in Domestic Abuse Reporting

National Organizations:

Elizabeth Crawford
African-Americans for VAWA Reform

Michael McCormick
American Coalition for Fathers and Children

Barbara L. Fitzsenry
American Women for VAWA Reform

John Dias
DVStats.com

Spencer Mewha
Domestic Violence Men's Support Group

Phyllis Schlafly
Eagle Forum

Natasha Spivack
Voice of American Immigration Fraud Victims

Ned Holstein
Fathers and Families

Jamil Jabr
Fathers-4-Justice

Don Mathis
Fourteen Percenter Newsletter

Michael McManus
Marriage Savers

Harry Crouch
National Coalition of Free Men

Marty Nemko
National Organization for Men

John Hayes
National Coalition on Domestic Violence Against Males

Tristan Laurent
Online Dating Rights

Lee Newman
Stop Abuse for Everyone - International

Torm L. Howse
United Civil Rights Councils of America

Alabama:
Michael Polemeni
Alabama Family Rights Association

James Blackstone
DADS – Alabama

Alan Rusmisl
Fathers-4-Justice – Alabama

Sandra Carroll
Saving America's Families Everywhere

California:
Tom Smith
American Union for Men

Scott MacDonald
GiveBackMySon.org

Patrick Braden
Global.Future

Marc Angelucci
National Coalition for Free Men – Los Angeles

Teri Stoddard
Shared Parenting Works

Colorado:

Sheryle Hutter
Colorado Cross Disabilities Coalition

Don Hutter
Fathers for Justice – Colorado

Connecticut:
Ken Krajewski
Father Without Christmas

Delaware:
Roger Hall
Delaware Family Coalition

Florida:
Theresa Martin
Florida Civil Rights Council

Carl Steppling
Florida Coalition for Families and Children

Tony Spalding
Florida Dad, Inc.

Grayson Walker
Parents without Rights

Georgia:
Tiffani Howard
One Out of Many

Bessie Hudgins
Three Sides to Every Story

Hawaii:
Tom Marzec
Hawaii Justice Foundation

Illinois:
Michael Burns
Illinois Alliance for Parents and Children

Rev. Terry Weston
TW Ministries

Indiana:

Pastor Kenneth Deemer
Shattered Men

Kentucky:

Mike East
F.A.T.H.E.R.S.

Wes Collins
KyFamilyOrg

Maryland:

Jack Kammer
Center for Men and Boys in Social Policy

Tom Golden
Men's Equality Conference

Massachusetts:

Steven Shepardson
Children Need Both Parents

Barbara C. Johnson
FalseAllegations.com

Wayne Jewett
Fatherhood Coalition - Southeast Massachusetts Chapter

Michigan:

Angela Pedersen
A Child's Right

Minister Ronald Smith
Children Need Both Parents

James Semerad
DADS of Michigan

Michael Ross
Family Rights Coalition

Minnesota

Will Hageman
National Coalition of Free Men – Twin Cities

New Hampshire:

Richard Smaglick
FathersAndHusbands.org

Michael Geanoulis
National Congress for Fathers and Children – NH

Debra Roy & Joanie Comeau
Stop Abuse for Everyone – NH

New Jersey:

Bruce Eden, Director
DADS (Dads Against Discrimination) – NJ & NY

Jeff Golden – NJ
Fathers' and Children's Equality

Michael Argen
New Jersey Council For Children and Family Rights

New York:

Randall L. Dickinson
Coalition of Fathers and Families, NY

Yonda Ashley
Children and Parents Network

Glenn Josker
MensReality.com

Ohio:

Christopher Tock
DADS of Ohio

Oklahoma:

Bob Batterbee
Equal is Equal

Pennsylvania:

Ben Vonderheide
DaddyJustice.com

David Nelson
Fathers and Children's Equality – Bucks Co, PA

Donald Hank
Lancaster-York Non-Custodial Parents

Jeff Dick
Men's Custody Shelter Network

South Carolina:

Paul Clements
DADD-SC

Texas:

Deborah Watkins
National Coalition for Free Men – Dallas/Ft. Worth

Doug Conley
People for Equal Parenting

Utah:

Alan Millard
Men and Fathers for Justice

Virginia:

Fred Hawkins
Fathers for Virginia

Thea Artis
Virginians for Equal Shared Parenting

Washington:

Lisa Scott
Taking Action Against Bias in the System

Pat Lessard
The Other Parent

John Lucas
Washington DV Press

Mark Mahnkey
Washington Civil Rights Council

West Virginia:

Mary Steele
Domestic Violence
Counseling Center

Tim Fittro
Men and Women Against
Discrimination

Wisconsin:

Steve Blake
Wisconsin Fathers for
Children and Families

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²⁸ Agenda for VAWA Reform: Reducing partner violence, Respecting civil liberties, and Protecting the family.

<http://www.mediaradar.org/docs/RADARdocument-Agenda-for-VAWA-Reform.pdf>

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