

RESOLUTION

Regarding the Violence Against Women Act

1. **Whereas**, in 2000 Senator Orrin Hatch directed the executive branch to “ensure that men who have been victimized by domestic violence and sexual assault will receive benefits and services under the Act”¹
2. **Whereas**, despite that statement of Congressional intent, male victims continue to be turned away from VAWA-funded shelters.²
3. **Whereas**, the language of the 2005 Violence Against Women Act now recognizes that male victims of domestic violence are in need of treatment and protection, and requires VAWA-funded programs to provide them with such services.³
4. **Whereas**, VAWA funds judicial education programs that instruct judges to disregard constitutionally-protected due process provisions,⁴
5. **Whereas**, judges often issue restraining orders without any direct threat of harm,^{5,6} and restraining orders are widely used as “part of the gamesmanship of divorce.”^{7,8}
6. **Whereas**, the Massachusetts Trial Court found that less than half of all restraining orders issued in that state involved even an *allegation* of physical violence,⁹
7. **Whereas**, it has been estimated that each year one million protective orders are issued in the United States, and about 500,000 of such orders represent a direct violation of due process protections,^{10,11}
8. **Whereas**, 15% of such protective orders are issued against women and 85% against men.¹²
9. **Whereas**, research shows that most instances of partner aggression are minor in nature,¹³ and such cases require counseling, not legal intervention,
10. **Whereas**, VAWA-funded programs and policies often discourage couple counseling and partner reconciliation, and
11. **Whereas**, various VAWA incentives serve to promote family break-up,¹⁴ which results in children losing daily contact with one of their parents.¹⁵

Therefore, the undersigned organizations request that:

1. The VAWA appropriation bill for FY2007 include report language directing the DoJ Office on Violence Against Women to provide Congress, no later than December 30, 2007, with client utilization statistics of VAWA-funded programs and services, in compliance with the male-inclusive requirements of Section 40002(b)(8) of the 2005 Violence Against Women Act.
2. The Senate and House Appropriations Committees support and approve President Bush’s budget request to fund the Violence Against Women Act at the \$347 million level in FY2007.
3. The United States Congress establish a panel to investigate the claims that the Violence Against Women Act promotes the excessive issuance of restraining orders, which often leads to family break-up and inappropriate loss of parent involvement.

Signed:

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¹ Congressional Record, October 11, 2000, pp. S10191-92.

² RADAR. VAWA Programs discriminate against male victims: Respecting Accuracy in Domestic Abuse Reporting, 2006. www.mediadar.org

³ Violence Against Women Act, Section 40002(b)(8).

⁴ Bleemer R: N.J. judges told to ignore rights in abuse TROs. *New Jersey Law Journal* April 24, 1995.

⁵ David Heleniak. The new Star Chamber: The New Jersey family court and the prevention of Domestic Violence Act. *Rutgers Law Review*, Spring 2005.

⁶ Wendy McElroy. Abuse of temporary restraining orders endangers real victims. *FoxNews.com*, December 27, 2005.

⁷ Thomas Kasper. Obtaining and defending against an order of protection. *Illinois Bar Journal* June 2005.

⁸ Thomas Kiernan. Re: False Claims. *New Jersey Law Journal*, April 21, 1988 Vol. 121 p. 6.

⁹ Office of the Commissioner of Probation, Massachusetts Trial Court: The tragedies of domestic violence: A qualitative analysis of civil restraining orders. October 12, 1995.

¹⁰ Dorothy Carl Quinn. Ex parte protection orders: Is due process locked out? *Temple Law Quarterly* Vol. 58, Winter 1985.

¹¹ RADAR. VAWA: Threat to families, children, men, and women: Respecting Accuracy in Domestic Abuse Reporting, 2006. www.mediadar.org.

¹² Cathy Young. Domestic violence: An in-depth analysis. Washington, DC: Independent Women's Forum, 2005.

¹³ Linda Kelly. Disabusing the definition of domestic abuse. *Florida State University Law Review* Vol. 30, 2003.

¹⁴ Phyllis Schlafly. Federal incentives make children fatherless, *Human Events Online*, May 11, 2005.

¹⁵ Stephen Baskerville. Violence against families: Fathers fall victim to domestic-abuse laws. *American Conservative*, August 29, 2005, pp. 23-25.