

Women Ask: “Has VAWA Lived Up to its Promises?”

The Violence Against Women Act was passed in 1994 to protect persons from partner abuse. But many are now wondering whether VAWA has delivered on its promises. There are 10 areas of concern:ⁱ

1. No Proof that Domestic Violence Laws Reduce Abuse

The Department of Justice reports that intimate partner homicides began to fall as early as 1976.ⁱⁱ Partner homicides had already dropped 29% by 1994, the year that VAWA was enacted into law:



2. May Place Women at Greater Risk of Violence

Aggressive law enforcement measures may place women at greater risk of harm.

One DoJ-funded study concludes, “Increases in the willingness of prosecutors’ offices to take cases of protection order violation were **associated with increases in the homicide** of white married intimates, black unmarried intimates, and white unmarried females.”ⁱⁱⁱ

3. Lulls Women into a False Sense of Security

Many VAWA programs have been shown to be ineffective in stopping partner abuse. Treatment programs usually don’t work. A report from the Independent Women’s Forum says restraining orders are often ineffective and may “lull women into a false sense of security.”^{iv}

4. Makes it Harder for Real Victims to Get the Help They Need

Severely abused women complain it’s hard for them to get the help they need. That’s because our legal system has become flooded with minor allegations. For example, half of all restraining orders are issued without even an *allegation* of physical abuse.

The National Institute of Justice warned about mandatory arrest laws, saying that “arrests for all suspects may unnecessarily take a community’s resources away from identifying and responding to the worst offenders and victims most at risk.”^v

5. Ignores Women’s Preferences

Many law enforcement agencies have implemented “no-drop” prosecution policies that ignore women’s wishes. If the woman refuses to testify against her allegedly abusive partner, the prosecutor may threaten to take away her children.

Women who have experienced inflexible mandatory arrest laws are far less likely to request police assistance in the event of future abuse.

Women’s Groups Are Criticizing VAWA

Women’s groups are saying that VAWA may be hurting 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.”

6. Promotes Overly-Aggressive Law Enforcement Policies

The Violence Against Women Act has encouraged states to pass get-tough laws. But many believe these laws go too far and victimize the innocent.

About 2-3 million temporary restraining orders are issued each year – 15% of them against women.^{vi}

And 30 states have enacted laws that encourage or mandate arrest for domestic violence. As a result, the number of women arrested for DV has risen dramatically -- in California, mandatory arrest policies caused the number of women arrested to soar by 446%, even though many of those arrests may have been considered unnecessary by the woman's partner.

7. Ignores the Needs of Abusive Women

Women are as likely as men to engage in domestic violence, but female-specific treatment programs are usually non-existent.

Researcher Susan Steinmetz tells of receiving letters from abusive women who knew they needed help, but were "turned away or offered no help when they called a crisis line or shelter."

8. Abuse Shelters May Not be Addressing Women's Needs

Women's shelters may be staffed by volunteers with no professional qualifications. Some shelters emphasize political activism over providing practical solutions for victims' needs.^{vii}

9. Removes Children from Their Homes

The definition of child abuse has been expanded in many states so simply *witnessing* parental aggression is considered to be abusive to children. As a result, children have been removed from their homes, based only on an *allegation* of abuse:

Susan contacted a local abuse shelter to get counseling for herself. Even though there had been no physical abuse involving either the parents or the children, the kids were taken away and placed in foster care for 38 days. The woman concluded, "These people have no idea the damage they have done. I compare it to someone coming into your home and ransacking it."^{viii}

10. Promotes Couple Break-up, Not Reconciliation

Most cases of domestic abuse are minor and reconciliation is usually desirable. But no-contact restraining orders and policies of women's shelters preclude persons from receiving couple's counseling or mediation.

Time to Reform VAWA

Many persons question whether our nation's domestic violence laws are really helping. Growing numbers of women are saying, It's time to reform the Violence Against Women Act.



Respecting Accuracy in Domestic Abuse Reporting

RADAR is spearheading the VAWA Reform Coalition, a group of women's, shared parenting, children's rights, and other organizations around the country that is working to educate the public about VAWA abuse:
www.mediaradar.org/docs/VAWA-Reform-Coalition-Declaration.pdf

For more information, contact:
RADAR: Respecting Accuracy in Domestic Abuse Reporting
P.O. Box 775, Westfield, New Jersey 07090
Internet : www.mediaradar.org
E-mail : info@mediaradar.org

ⁱ RADAR: Has VAWA delivered on its promises to women? 2007.

ⁱⁱ Catalano S. Intimate partner violence in the United States. Washington, DC: Department of Justice, 2006.

ⁱⁱⁱ Dugan L, Nagin D, Rosenfeld R. Exposure reduction or backlash? The effects of domestic violence resources on intimate partner homicide. NCJ Number 186194. 2001.

^{iv} Independent Women's Forum. Domestic violence: An in-depth analysis. Washington, DC, 2005, p. 25.

^v Maxwell CD, Garner JH, Fagan JA. The effects of arrest on intimate partner violence. Washington, DC: National Institute of Justice. Report No. NCJ 188199. 2001.

^{vi} RADAR: Without restraint: The use and abuse of domestic restraining orders. 2006.

^{vii} Epstein S, Russell G, Silvern L. Structure and ideology of shelters for battered women. American Journal of Community Psychology Vol. 16, 1988, pp.. 345-367.

^{viii} Sacks G. Domestic violence system manhandles woman, family. E-newsletter October 31, 2006.