



AMERICAN BAR ASSOCIATION

GOVERNMENTAL AFFAIRS OFFICE • 740 FIFTEENTH STREET, NW • WASHINGTON, DC 20005-1022 • (202) 662-1760

Statement of

ROBERT D. EVANS

on behalf of

THE AMERICAN BAR ASSOCIATION

submitted to the

JUDICIARY COMMITTEE

of the

UNITED STATES SENATE

on the subject of

REAUTHORIZATION OF THE VIOLENCE AGAINST WOMEN ACT

July 19, 2005

Mr. Chairman and Members of the Committee:

I am Robert D. Evans, Director of the American Bar Association's Washington Office. I submit this statement at the request of the President of the American Bar Association, Robert J. Grey, Jr., to voice the Association's views with respect to reauthorization of the Violence Against Women Act.

The American Bar Association is the world's largest voluntary professional organization with a membership of over 400,000 lawyers, judges, and law students worldwide, including a broad cross-section of family lawyers, advocates for victims of domestic violence, prosecuting attorneys, and judges. The ABA strongly supports reauthorization and strengthening of the Violence Against Women Act ("VAWA") before it expires in September 2005.

I want first to commend the Chairman for his strong leadership over many years and in the present Congress in creating federal policy directed toward reducing violence against women in our society. ABA President Grey expressed our gratitude for your role as well as that of Senator Hatch and Senator Biden in recently introducing legislation to reauthorize and strengthen VAWA, S. 1197. We believe there is a bipartisan consensus in both the House and Senate that reauthorization and strengthening of VAWA is critically important. The ABA shares this view, as evidenced by the action of our Board of Governors earlier this year making reauthorization of VAWA one of our Association's legislative priorities for the 109th Congress.

The programs created with funding from the Violence Against Women Act of 1994 and its reauthorization in 2000 have made a profound difference in the lives of millions of victims of domestic violence and their children as well as their communities and workplaces across the country.

VAWA has also made a difference in the last decade in how our courts and legal system

respond to domestic violence and its victims. Some of the most effective tools available to victims of domestic violence to ensure their safety and to reduce violence are remedies obtainable through the legal system, particularly the civil protection order. VAWA-funded programs, including the Civil Legal Assistance and STOP Grants programs, have improved and aided in the prosecution of domestic violence, sexual assault, and child abuse cases; provided necessary training and support for law enforcement personnel; and increased civil legal services for victims of domestic violence, especially in the areas of civil protection orders and family law matters. The value of these programs to victims of domestic violence, sexual assault, and stalking cannot be underestimated. Nonetheless, nearly 70% of victims of domestic violence are without legal representation. VAWA must be reauthorized to ensure that the strides that have been made to make victims safer are continued and reaffirmed.

Moreover, the passage of VAWA and its reauthorization have increased public awareness of domestic violence. Although rates of reported domestic violence have decreased in the last ten years, due in no small part to VAWA, domestic violence remains an epidemic, having a profound impact not only on victims' health and welfare, but those of their children, families, communities, and workplaces. VAWA-funded programs have increased American society's understanding that it takes the coordinated efforts of all members of a community to prevent domestic violence and to stop it once it has begun. For example, the last ten years have seen tremendous strides as domestic violence advocates have worked closely with experts in the fields of civil and criminal justice, health care, children's advocacy, business, welfare, law enforcement, insurance, and housing and homelessness to increase awareness and provide effective and comprehensive services to victims of domestic violence. Today, many employers have adopted domestic violence in the workplace policies that include job-guaranteed leave to

employees who are victims of violence to attend court proceedings, as well as assistance to relocate if necessary. Similarly, healthcare providers across the country have begun to incorporate screening for domestic violence into their protocols; hairdressers have integrated questions about domestic violence into their discussions with their clients; and many attorneys have information about domestic violence and the legal remedies available in their waiting rooms. VAWA and its reauthorization has been the impetus for many of these efforts, as well as state legislation addressing these issues, that have literally saved many lives.

We must not let this success fade away, as there is much more that can and must be done to end domestic violence. We believe that S.1197 strikes an appropriate balance between renewing core programs, closing loopholes, expanding successful programs, and developing critically needed initiatives for children and prevention efforts.

In particular, I would like to highlight the provisions in Title I of S.1197, which focuses on the justice system's response to domestic violence. By reaffirming the need for a coordinated community response from victim services agencies, legal aid, law enforcement, prosecution, and the courts, VAWA 2005 increases the likelihood of positive outcomes for victims of domestic violence and their children. S.1197 would continue VAWA's vital role of supporting specialized training for judges and court personnel and efforts to improve court responses to domestic violence through better court case management and other steps. Moreover, we are particularly pleased that your bill would increase funding for the Legal Assistance and STOP Grant programs that provide much needed funding for civil and criminal legal services for victims of domestic violence. These programs are essential, core components of the justice system that victims of domestic violence, sexual assault and stalking have come to rely upon. We cannot afford to see them diminished.

For all of these reasons, the ABA strongly supports S.1197. The ABA appreciates the opportunity to offer its views on this fundamentally important subject. We look forward to working with the Committee achieve a strengthened VAWA as the reauthorization proceeds in coming weeks.

Written Statement In Lieu of Personal Appearance Submitted by:

Robert D. Evans
Director, Governmental Affairs
American Bar Association
740 15th Street, NW
Washington, DC 20005
Tel. No. (202) 662-1765
Fax. No. (202) 662-1762

For Further Information, Please Contact:

E. Bruce Nicholson
Legislative Counsel
American Bar Association
740 15th Street, NW
Washington, DC 20005
Tel. No. (202) 662-1769
Fax. No. (202) 662-1762
nicholsonb@staff.abanet.org

Robin R. Runge
Director
Commission on Domestic Violence
American Bar Association
740 15th Street, NW
Washington, DC 20005
Tel. No. (202) 662-8637
Fax. No. (202) 662-1594
runger@staff.abanet.org
www.abanet.org/domviol/