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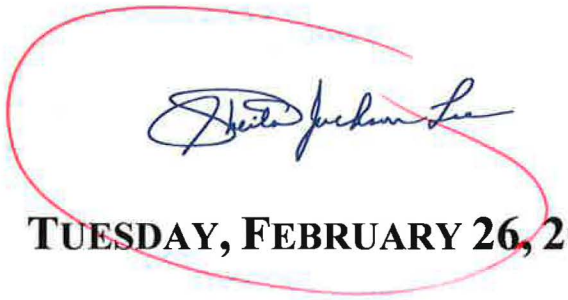
CONGRESSWOMAN SHEILA JACKSON LEE, OF TEXAS

S. 47, THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

RULES COMMITTEE

STATEMENT



TUESDAY, FEBRUARY 26, 2013

Mr. Chairman, I rise to support H.R.11, the reauthorization of the Violence Against Women Act.

- Over the last 18 years, VAWA has provided life-saving assistance to hundreds of thousands of women, men, and children. Originally passed by Congress in 1994 as part of the Violent Crime Control and Law Enforcement Act of 1994, this landmark, bipartisan legislation was enacted in response to the prevalence of domestic and sexual violence and the significant impact that such violence has on the lives of women.

- Just last month a co-ed at the venerable University of Virginia, my alma mater was convicted of murdering his girlfriend. This hits close to home. As well as Yvette Cade, who had acid poured over her face by an irate ex-husband. As well as the murder of Annie Le at Harvard University. And unfortunately, I could go on and on. These women were

white, black, and Asian, living in different cities under different circumstances. They had one common denominator: victims of abject and perverse violence. Lives destroyed because of men-at-rage.

- With each reauthorization, VAWA has been improved in meaningful ways to reflect a growing understanding of how best to meet the varied and changing needs of survivors.
- **VAWA is working, while rates of domestic violence have dropped by over 50 percent in the past 18 years, There remains a lot of work to be done still have a lot of work ahead of us.**

- **In December, the Centers for Disease Control and Prevention (CDC) released the first *National Intimate Partner and Sexual Violence Survey* (NISVS), which found:**

- 1 in 5 women have been raped in their lifetime and 1 in 4 women have been the victim of severe physical violence by a partner;
- Over 80% of women who were victimized experienced significant short-term and long-term impacts related to the violence and were more likely to experience Post-Traumatic Stress Disorder and long-term chronic diseases such as asthma and diabetes.
- Every nine seconds a woman in the United States is assaulted or beaten by stalkers or her partner.

- Every year in the United States, 1,000 to 1,600 women die at the hands of their male partners, often after a long, escalating pattern of battering.

- In 2009, 111 women were killed by their former or current husband, intimate partner or boyfriend in the State of Texas.

- **Domestic violence is the leading cause of injury for women in America.**
    - According to a study, there are more victims of domestic violence than victims of rape, mugging and automobile accidents combined. VAWA was designed to address these gruesome statics.
    - VAWA established the National Domestic Violence Hotline, which receives over 22,000 calls each month. VAWA funds train over 500,000 law enforcement officers, prosecutors, judges, and other personnel each year.

    - This landmark legislation sent the message that violence against women is a crime and will not be tolerated.
    - States are taking violence against women more seriously and all states now have stalking laws, criminal

sanctions for violation of civil protection orders, and reforms that make date or spousal rape as serious of a crime as stranger rape.

H.R. 11

- The bipartisan Violence Against Women Reauthorization Act of 2013 passed the Senate with overwhelming bipartisan support. 78 out of 22 U.S. Senators supported this important bipartisan legislation.

- The VAWA Reauthorization bill significantly strengthens the ability of the Federal Government, the States, law enforcement, and service providers to combat domestic violence, dating violence, sexual assault, and stalking. As with the previous reauthorizations of VAWA in 2000 and 2005, this bill responds to the realities and needs reported by those who work with victims every day to make VAWA work better for all victims.

- The Republican leadership announced they will bring their version of the Violence Against Women Act (VAWA) reauthorization to the House Floor. As opposed to the

bipartisan Senate bill, the House Republican version of VAWA omits protections for the LGBT, Native women, and immigrant communities. It also excludes provisions that combat sex trafficking, and that would have helped law enforcement address the backlog in DNA evidence kits. The GOP version is being brought to the House Floor in the complete absence of committee action and without the consultation of House Democrats.

- As my colleague, Congressman John Conyers stated "The House Republican version of VAWA is evidence that the Majority continues to pick and choose which victims of domestic violence are deserving of protection. The Senate has passed a strong bipartisan bill that contains critical protections for all victims of domestic violence, but House Republicans are reverting back to partisan politics by pushing through a bill that will not pass the Senate. We should be seeking ways to expand and improve upon the

historic Violence Against Women Act, not limit its ability to protect innocent victims"

- Unfortunately, the House Republican bill refuses to acknowledge the needs of all victims of domestic violence, human trafficking and stalking. There are too many women waiting on vital domestic violence services. It is time for House Republicans to end this charade and allow a vote on the comprehensive VAWA that passed the Senate earlier this month.

Why Republicans Oppose the Bill ("controversial" new provisions)

Protections for LGBT Survivors

The Senate bipartisan reauthorization of VAWA ensures that *ALL* victims of domestic violence receive aid, including LGBT survivors.

LGBT people are often victims of Domestic Violence

- A 2010 Centers for Disease Control and Prevention study found that lesbian, gay, bisexual and transgendered victims report intimate partner violence, sexual violence, and stalking at levels equal to or higher than the general population.
- The report also found that bisexual women are report higher incidences of rape, physical violence, and stalking than their lesbian and heterosexual counterparts.
- Recent studies show that LGBT victims face discrimination when accessing services. For example, 45% of LGBT victims

were turned away when they sought help from a domestic violence shelter, according to a 2010 survey, and nearly 55% were denied protection orders.

- Service providers have gathered numerous stories of LGBT victims denied assistance or services because of their sexual orientation or gender identity.

The Senate Bill ensures non-discrimination, and allows for a wider variety of groups to apply for VAWA funding:

- The legislation clarifies that organizations seeking to provide specific services to gay and lesbian victims may receive funds under the largest VAWA grant – the STOP formula grant program.
- No organization will be required to develop services specifically targeting this population, but those organizations that would like to offer such services will be able to access funding. Currently, STOP grant funds are only available to organizations predominantly serving women.

- Additionally, the legislation clarifies that gay and lesbian victims are included in the definition of underserved populations. Although the LGBT community experiences domestic violence at the same rate as heterosexual couples, a 2010 study found that many victim services providers lack services specific to LGBT victims and have not received training in how to work with LGBT victims. Specialized services are important for this population because reporting rates and prosecution rates are very low.
- This bill does not Mandate that Service Providers Offer Specific LGBT Services.
- The legislation does not require service providers to offer specific programs for LGBT victims. It simply seeks to increase the availability of specialized services and to ensure that no victim is turned away based on their sexual orientation or gender identity.

VAWA and Immigrant Women

- H.R. 11 adds the crime of stalking to the offenses for which a U Visa is available. The U Visa was created to encourage immigrant victims of crime to report and help prosecute criminal activity. It is only available to victims of certain crimes, which currently include domestic violence and sexual assault.
- H.R. 11 protects the children of applicants for U Visas from "ageing out" of the process if they become adults while their parent's application is pending.
- H.R. 11 clarifies that VAWA self-petitioners, U Visa petitioners and holders, and T Visa holders (victims of human trafficking) are exempted from the public charge inadmissibility ground that typically precludes a non-citizen from remaining in the country.

- H.R. 11 extends the so-called "widow's and widower's fix," approved by Congress in 2009, to add the surviving minor children of a VAWA self-petitioner when the abusive spouse of the petitioner died after the filing of the petition. Other relatives of the petitioner would remain ineligible.
- H.R. 11 requires annual reports to Congress regarding outcomes and processing times for VAWA self-petitions, U Visas, and T Visas.
- H.R. 11 strengthens the existing International Marriage Broker Regulation Act to provide vital disclosures to foreign fiancés and fiancées of U.S. citizens regarding the criminal history of the sponsoring citizen and other information foreign fiancés and fiancées need to protect themselves from entering abusive marriages. Requires international marriage brokers to collect proof that the foreign fiancé or fiancée is of the age of consent.

- H.R. 11 extends the application of the Prison Rape Elimination Act to all immigration detention facilities under the authority of the DHS and HHS.

VAWA expands protections for tribal women

- VAWA Reauthorization provides law enforcement with additional tools to combat domestic and sexual assault in tribal communities.
- The bill adds new federal crimes – including a ten-year offense for assaulting a spouse or intimate partner by strangling or suffocating and a five-year offense for assaults resulting in substantial bodily injury – that will enable federal prosecutors to more effectively combat types of assault frequently committed against women in Indian country.
- These new crimes allow law enforcement to appropriately address the gradual escalation of seriousness often associated with domestic violence offenses. The bill also clarifies that tribal courts have the authority to issue and enforce tribal protection orders, ensuring that these protection orders can be used effectively to keep women safe.

- VAWA Reauthorization closes jurisdictional loopholes to ensure that those who commit domestic violence in Indian country do not escape justice.
- The bill addresses a gaping jurisdictional hole by giving tribal courts concurrent jurisdiction over Indian and non-Indian defendants who commit domestic violence offenses against an Indian in Indian country.
- Currently, tribal courts do not have jurisdiction over non-Indian defendants who abuse and attack their Indian spouses on Indian lands, even though more than 50% of Native women are married to non-Indians. Prosecution of domestic violence offenses in Indian country often falls through the cracks, since federal and state law enforcement and prosecutors have limited resources and may be located hours away from tribal communities.

Conclusion

Mr. Chairman, I ask you to allow H.R. 11 to come to the floor. These are all crucial protections for victims of domestic violence. We cannot wait any longer to reauthorize this crucial legislation that saves the lives of women every day.