

VIOLENCE AGAINST WOMEN ACT 1994

OFFICE OF
MANAGEMENT
AND BUDGET



Brief introduction of the act.

The Violence Against Women Act (VAWA) was designed to address domestic violence, sexual assault, dating violence, and stalking. Enacted as part of the Violent Crime Control and Law Enforcement Act, VAWA marked a significant step in the federal government's efforts to protect women from violence and to provide support to survivors of such violence.



VAWA

WHO is the act applicable to?

The applicability of the Act can be divided in two main groups:

VICTIMS AND SURVIVORS

Women: While the primary focus is on protecting women from violence, VAWA's protections are available to all genders, recognizing that men, children, and LGBTQ+ individuals can also be victims of domestic violence and sexual assault.

Survivors of Domestic Violence, Sexual Assault, Dating Violence, and Stalking: VAWA provides protections and resources for all survivors of these crimes, regardless of gender, sexual orientation, or other demographic factors. accountable under federal law.

PERPETRATORS

Individuals Accused or Convicted of Domestic Violence, Sexual Assault, Dating Violence, or Stalking: VAWA establishes legal penalties and creates federal offenses related to these crimes, holding perpetrators accountable under federal law.

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HOW is the act implemented?

VAWA funds shelters, (VAWA) is implemented through a combination of federal and state efforts, involving numerous stakeholders, including government agencies, law enforcement, the judiciary, healthcare providers, educational institutions, and nonprofit organizations.

Below is an overview of how the act is implemented:

FEDERAL AGENCIES AND GRANT PROGRAMS

Department of Justice (DOJ)

- Office on Violence Against Women (OVW): The OVW administers most of the VAWA grant programs. It provides funding to state, local, tribal, and territorial governments, as well as nonprofit organizations, to support services for victims and to improve the criminal justice response to domestic violence, sexual assault, dating violence, and stalking.
- Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program: This program supports law enforcement agencies, prosecutors, courts, and victim service providers in enforcing protection orders and improving the arrest policies related to domestic violence.

Department of Health and Human Services (HHS)

- Family Violence Prevention and Services Program (FVPSA): Provides funding to support emergency shelters and services for victims of domestic violence and their dependents.

STATE AND LOCAL GOVERNMENTS

Law Enforcement and Prosecution

- Training and Protocols: State and local law enforcement agencies receive VAWA funding to train officers on handling domestic violence and sexual assault cases, implementing protocols to ensure a victim-centered response.
- Specialized Units: Many police departments establish specialized domestic violence or sexual assault units to handle these cases more effectively.

Courts

- Judicial Training: VAWA funds are used to train judges and court personnel on the complexities of domestic violence, sexual assault, and stalking cases.
- Enforcement of Protection Orders: VAWA mandates that states enforce protection orders issued by courts in other states, ensuring victims are protected nationwide.

HOW is the act implemented?

HEALTHCARE PROVIDERS



- Training and Protocols: Healthcare providers receive training to identify and respond to domestic violence and sexual assault. This includes protocols for screening patients and providing appropriate referrals and support.
- Forensic Medical Exams: VAWA funds support the availability of forensic medical exams for sexual assault victims to ensure evidence is collected properly and victims receive appropriate care.

EDUCATIONAL INSTITUTIONS

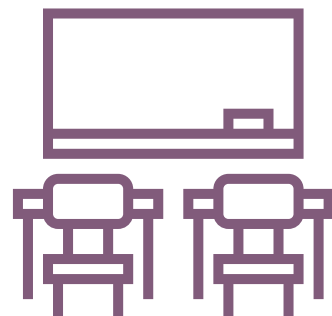


- Campus Policies and Programs: Colleges and universities develop policies and programs to prevent and respond to sexual violence on campus, including providing support services for victims and conducting education and awareness campaigns.

HOUSING AUTHORITIES



- Protections for Victims: Public housing authorities implement VAWA provisions to protect victims of domestic violence, dating violence, sexual assault, and stalking from eviction or discrimination due to their victim status. They also facilitate emergency transfers for victims needing to relocate for safety reasons.



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WHEN is the act applicable?

There are two main contexts under which VAWA applies:

CRIMINAL JUSTICE



Federal Crimes

VAWA establishes federal criminal offenses for interstate domestic violence, interstate violation of protection orders, and stalking, making it applicable when such crimes occur across state lines.

State and Local Enforcement

VAWA provides funding and mandates training for state and local law enforcement agencies to improve their response to domestic violence and sexual assault cases, ensuring that these crimes are prosecuted effectively at all levels of government.

Protection Orders

VAWA requires states to give full faith and credit to protection orders issued by courts in other states, making it applicable when victims seek enforcement of such orders across state lines.

Shelters and Crisis Centers

VAWA funds shelters, hotlines, and crisis centers that provide immediate support and services to victims of domestic violence and sexual assault.

Legal Assistance

VAWA provides funding for legal aid programs that help victims obtain protection orders, navigate the criminal justice system, and secure custody of their children.

Counseling and Support Groups

VAWA supports programs that offer counseling, support groups, and other therapeutic services to help victims recover from trauma.

VICTIM SUPPORT SERVICES



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How is the bill relevant for Governmental entities in Puerto Rico receiving federal funding?

Governmental entities in Puerto Rico receiving federal funding must comply with VAWA provisions and federal regulations, including:

Non-discrimination

Ensuring that services and programs are accessible to all victims, regardless of gender, race, ethnicity, sexual orientation, or immigration status.

Data Reporting and Accountability

Maintaining accurate records and reporting data on the use of VAWA funds and the outcomes of funded programs, ensuring transparency and accountability.

It should be noted that VAWA encourages governmental entities to focus on underserved and marginalized populations, ensuring that all victims receive the support they need. This includes:

- **LGBTQ+ Victims:** Providing tailored services and support for LGBTQ+ individuals who experience violence.
- **Immigrant Victims:** Offering legal and support services to immigrant victims, including those who may not have legal status.
- **Rural and Remote Areas:** Addressing the unique challenges faced by victims in rural and remote areas, ensuring they have access to necessary services.

The Office on Violence Against Women (OVW) of the Department of Justice monitors grant recipients to ensure compliance with VAWA requirements and effective use of funds. This includes regular reporting, audits, and site visits.

