

**A SYMPOSIUM CELEBRATING THE FIFTEENTH
ANNIVERSARY OF THE VIOLENCE AGAINST WOMEN
ACT**

**PANEL THREE: THE IMPACT OF VAWA: BILLIONS (YES,
WITH A B) FOR PREVENTION, VICTIM SERVICES, LAW
ENFORCEMENT, UNDERSERVED POPULATIONS AND THE
COURTS, AND LOOKING AHEAD TO VAWA IV**

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Transcript of Remarks by

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LISALYN JACOBS: I think where Claudia ended is a fitting place for me to begin. It is always curious and unfortunate to be on the last panel because people who have come in and been able to spend part of the day with us, have sort of run off to put out the many fires that they have to put out, and have not remained. But I do want to take a moment, because so many of these folks are here, to thank the members of the National Task Force who are here—both past and present. There are people here, clearly, like Pat, who worked on that which we referred to as VAWA I through VAWA III. But there are a fairly good contingency of people sitting in various parts of the room who worked very closely with us on VAWA III as we tried to get that reauthorized in 2005. There are clearly folks with whom we are already in discussions about VAWA IV, so please, will all of those people stand and be recognized.

As Juley said in her discussion, I have two roles with regard to this work. One is that although I was not present at the creation per se, I was very much present at the implementation. I got to the Justice Department's policy office in February 1995, and I was talking to Katherine Pierce of the Office on Violence Against Women. I think we both arrived at the same time, which was about a month before Bonnie Campbell, who was the office's first director, arrived. I know that we heard one of the judges this morning talk about the role that VAWA has played with regard to setting forth a model, as it were, for other countries and the legislation that they pursued in the realm of violence against women. I had the privilege of staffing Bonnie Campbell; I was her first staff person on international issues. When international delegations—including presidents and first ladies and others—came to the Justice Department and wanted to know about VAWA, which was not an infrequent occurrence, I worked with Bonnie and prepped her on those meetings. I also prepped her prior to her trip to Beijing for the International Women's Conference.

As I said, I have this dual role. I worked for DOJ during the early part of my career, but in 2005 I was privileged to chair the group that worked to reauthorize VAWA, so what I wanted to talk about was how we have evolved over the last fifteen years and perhaps, talk about what is the work that remains to be done. What is the way forward?

I was on the phone earlier this week with a Capitol Hill staff member, and she called to my attention a curious piece of policy that I had actually never known existed. The Office of Personnel Management, actually I think contemporaneous with the passage of VAWA, drafted policy guidelines for the federal agencies on how to address issues of domestic violence with regard to their own staff. This included how those procedures should be implemented and what kind of processes should be undertaken. As I looked at those documents with her, I was struck by how domestic violence focused—in fact, exclusively domestic violence-focused—those policy drafts were.

That really is one of the ways in which VAWA has blossomed and lived up to its promise. In its original iteration, while not exclusively, VAWA was very heavily focused on domestic violence issues. As we came into the first reauthorization curiously known as VAWA II, and the second reauthorization, VAWA III, I think we very much tried to go to the grassroots, and to go to the source, and to figure out ways in which VAWA had not addressed various communities. Instead of speaking of exclusively domestic violence when VAWA was reauthorized in 2005, we actually saw enshrined side-by-side four crime categories: domestic violence, dating violence, sexual assault, and stalking. We saw for the first time the Native American women's concerns, though Native American issues had always been addressed in VAWA. For the first time, Native American women had a title that exclusively addressed the needs of women who were victimized in Indian country, which I would say as an Episcopalian is meet and right, given that Native women are victimized at rates which are exponentially greater than for any other group of victims. We all acknowledge in this room that while the legislation we speak of is called VAWA, that in reality it is legislation which is gender neutral. VAWA has in fact been used to prosecute at least one woman who crossed state lines to murder an intimate partner. So while we say VAWA in shorthand, I think it is important to acknowledge that we are talking about all categories and all classes of victims crossing gender lines, and crossing lines of sexual orientation should be acknowledged as well.

I think in terms of looking at how the work has changed over the last fifteen years, one of the single most important—or maybe interesting—improvements has been these curious little things that I refer to as “the devil’s machine.” As I was sitting in the back of the room refining my remarks today, I was getting e-mails from colleagues who are associated with the Georgetown community about what protests might be underway today related to the Vice President appearing. The way in which we are able to be so much more responsive either to the things that we hear from the field, and are bombarded by the things we hear in the news, or perhaps the way in which we find ourselves over-engaged by the work because we can literally take work to bed with us and sometimes have a charming habit of doing just that. That, I think, is one of the key ways in which we have both seen the benefit and the burden of technology’s impact on the work that we do.

I think that we have seen the work we do with Capitol Hill evolve in so many ways. We have seen the strategic ability of the D.C. part of the VAWA coalition and in its ability—particularly with regard to VAWA 2005—to, instead of blanketing the Hill in the way that we did the last time the bill was reauthorized to strategically target particular offices. The coalition knew which offices had concerns or were balking, and was able to focus our efforts on these particular offices to the point where we had some of them begging us literally to make the calls stop. No other parts of Capitol Hill were being disturbed, we had a very strong sense of who was where and everything else, but the ability to be strategic and focused and targeted. And another curious necessity, which we won't need this time, is an outside lobbyist. The last time, as we sat around the table and asked ourselves what kinds of skills we brought to this effort and what things we lacked, we realized what we really needed to be able to do was to influence the Republican Congress in ways that we as advocates felt like we needed some help with. That is certainly another way in which the work has evolved.

I've spoken about it in generalities, in terms of how, particularly with VAWA III, we figured out what other communities needed to be brought to the table. And I just wanted to identify, and Juley has spoken to that as well, some of the other communities that we focused on in greater depth. Whether or not they were the elder communities, the rural communities, the communities of color, the immigrant communities . . . the ways in which we focused on sexual assault issues, on dating violence issues, on stalking issues . . . I think we have definitely brought a new level of, if you will—refinement, but also breadth, to the work.

In terms of the way forward and the unfinished agenda, part of the agenda of VAWA IV is really the unfinished agenda of VAWA III. Although VAWA was reauthorized by the President very early in 2006, the Congress looked at a very lengthy list of new programs that we presented to it with the reauthorization and said to us, "Pick five." A number of these new programs from 2006 still have not received their initial funding. So seeing that the Sexual Assault Services Program and the National Resource Center that deals with the impact of domestic and sexual violence on the workplace actually receives funding, and to use DOD terminology gets "stood up," is a priority. That those programs get initialized is part of our work, but also seeing that the other new programs that have yet to receive appropriations are funded is clearly part of the agenda.

I think it is also wise to point out that, while we have been talking about VAWA, that VAWA has a twin (if you will) that sits at the Department of Health and Human Services. That is the Family Violence Prevention and Services Act,⁵ and it is working its way through its reauthorization as we speak. Seeing that program—which funds the domestic violence hotline and shelters, etc.—seeing that that program receives the kinds of appropriations and the kinds of support, so that we see that all the wrap-around federal services that are needed are

5. 42 U.S.C. §§ 10401-10410, 10412-10419 (2010).

adequately funded across the board I think, is another piece of our unfinished agenda.

Claudia talked generally about her work. But particularly, one of the things that we have tried to focus on as a historical matter, but not done as solid a job as we should have, is the question of violence against women in the military. Whether or not we are talking about military spouses, or people who are active, or retired military personnel—particularly given the engagements that have been ongoing for the last several years—is another part of the agenda that will need to be addressed.

We heard the Vice President clearly talking about the intersection of violence and the economy, and talking about how costly violence is. One of the things we have not hit on today is the effect of the economy on violence or interpersonal violence, and the fact that as our economy worsens, interpersonal violence worsens as well. Trying to figure out ways in which we can address those issues—whether through stimulus or other kinds of funding—is part of the unaddressed mandate.

Also part of it is trying to figure out how to assist women who are in the workplace and also experiencing domestic or sexual violence, because we know that being able to maintain employment is key to them being able to escape the abuse when they are ready and able to do that. We also know that poor women are at the greatest risk for abuse. Thus, trying to figure out how TANF recipients—or other people who were in dire straits before the middle class began to experience it, in the context of the economic downturn—trying to figure out how to address that piece as well, I think, is also key to the way forward.

The Vice President sketched it out very nicely because he also talked about some of the problematic comments that you hear coming from judges. And while it is very well the case that VAWA has sent a lot of money to the states to train law enforcement and to train judges, I think what we know about VAWA is that there is a cyclical issue that takes place when the money goes out. The cycle demonstrates that the funding happens and then the judges, the cops, and others may rotate, may retire and other things like that. A victim that we were privileged to work with a few years ago, Yvette Cade, is a fabulous example of this. Yvette Cade came to national prominence when her husband walked into her workplace and threw gasoline on her and set her on fire. This was in the fall of 2005. That was what I would describe as the public aspect of her victimization, but she had been victimized by the system before. She had gotten a temporary protection order and when she went to the judge out in Prince Georges County to seek to make it permanent, he said things to her such as, "Well, if you would like to save your marriage, I think you should seek marriage counseling." He did not at all credence her concerns about the various ways in which her intimate partner had violated the order.

So there clearly are ways in which the work that I think was done tremendously by VAWA I and II and III—those efforts need to be redoubled, and we need to

figure out ways in which we can continue to invite our colleagues in all aspects of the judicial spectrum, whether or not we are talking about law enforcement or judges or others, to continue to partner with us in this effort to eradicate the scourge that is domestic and sexual violence. The final thing I would say, and Julie Goldscheid and I have had at least one conversation about this is, query whether or not the civil rights remedy should continue solely to be a relic of history, or whether or not there might be opportunities to think about ways to revive it going forward. Thank you.