

STOP



Violence Against Women

In passing The Violence Against Women Act (VAWA), Congress envisioned a nation with an engaged criminal justice system and coordinated community responses that brought together the courts, social services, and private nonprofit organizations to treat these crimes as serious offenses.

The Road to VAWA

- 1851** A Louisiana Supreme Court Decision defined *concubinage* as a 'mutual' liaison, although one participant was a slaveholder and the other a female slave bound to him by law and force.
- 1865** The 13th Amendment to the Constitution is ratified, officially ending the institution of slavery.
- 1871** Alabama became the first state to rescind the legal right of men to beat their wives.
- 1893** Hannah Solomon, a community activist who worked to institute Chicago's first Juvenile Court and improve the city's laws concerning children, became the founding President of the National Council of Jewish Women (NCJW).
- 1920** The 19th Amendment to the Constitution is ratified, giving women the right to vote. That same year, the US Supreme Court ruled that a wife had no cause for action on an assault and battery charge against her husband because it 'would open the doors of the courts to accusations of all sorts of one spouse against the other and bring into public notice complaints for assault, slander and libel.'
- 1923** The Equal Rights Amendment (ERA) which states that the rights guaranteed by the Constitution apply equally to all persons regardless of sex was introduced in Congress.
- 1967** One of the nation's first domestic violence shelters opened in Maine.
- 1972** The ERA passes Congress and is sent to the states, needing ratification by at least 38 states to become law.
- 1975** Susan Brownmiller's *Against Our Will: Men, Women, and Rape* published. "All rape is an exercise in power." page 283
- 1976** Del Martin's *Battered Wives* is published: "Clearly the time has come for legislators and courts to review and revise old laws which reflect sexual inequality and an obsolete system of values...Equality and the protection of equality must be key concerns in all legislation concerning marriage, divorce and family relations." page 196.
Also that year, Pennsylvania became the first state to pass legislation providing for protective orders for battered women.
- 1977** The California Penal Code stated that wives charging husbands with criminal assault and battery must suffer more injuries than commonly needed for charges of battery.
- 1982** Illinois passed the Illinois Domestic Violence Act (IDVA) that provided safety provisions for survivors of domestic violence and their children by holding their batterer's accountable in the criminal and civil justice systems. Also in 1982, only 35 of the required 38 states had ratified the ERA.
- 1985** US Surgeon General C. Everett Koop identified domestic violence as a public health issue that cannot be dealt with by the police alone.
- 1992** One of the first domestic violence court watch programs, WATCH, opens in Minnesota.
- 1994** Then-Senator Joe Biden led the successful effort to pass the Violence Against Women Act, legislation that required a *coordinated community response* to domestic violence, sexual assault and stalking crimes.
- 1995** The Office of Violence Against Women (OVW), a component of the US Department of Justice, is established to 'provide federal leadership in developing the national capacity to reduce violence against women, administer justice for and strengthen services to victims.'
- 1996** The National Domestic Violence Hotline is established as a component of the Violence Against Women Act.
- 1999** NCJW initiated the Domestic Violence Court Watch program in the 2nd Municipal District of the Circuit Court of Cook County.
- 2002** The Office of Violence Against Women became a permanent part of the Department of Justice with a Director who is appointed by the President and confirmed by the Senate.
- 2017** Nevada became the 36th state to ratify the ERA. Illinois is still one of the un-ratified states.

Sources: VAWA Celebrates 15 Years, Dallas Bar Association, <http://www.dallasbar.org>
National Domestic Violence Hotline, <http://www.thehotline.org>
<https://www.justice.gov>

Violence Against Women Act

VAWA addresses domestic violence, dating violence, sexual assault, sex trafficking, and stalking, all of which all of which predominantly victimize women.

However, VAWA programs and policies serve all victims of these crimes, including men.

Until the passage of VAWA in 1994, little concerted effort existed across agencies and service providers to respond to and meet the needs of those affected by these types of violence.

1994

- VAWA fostered community-coordinated responses to domestic violence and sexual assault
- Federal prosecution of interstate domestic violence and sexual assault crimes
- Federal guarantees of interstate enforcement of protection orders
- Protections for battered immigrants
- A new focus on underserved populations and Native American victims

2005

- Created provisions that exclusively serve to protect immigrant victims
- Developed prevention strategies
- Protected victims from unfair eviction due to their status as victims of domestic violence or stalking
- Created the first federal funding stream for rape crisis centers
- Developed culturally and linguistically specific services for communities
- Enhanced programs and services for victims with disabilities
- Broadened service provisions to include children and teenagers.

2000

- Identified the additional related crimes of dating violence and stalking
- Created a legal assistance program for victims
- Promoted supervised visitation programs for families experiencing violence
- Further protecting immigrants experiencing domestic violence, dating violence, sexual assault or stalking by establishing U-and T-visas
- Focused on trafficking of persons

2013

- New provisions extend the protection of Native Americans and members of the LGBTQ community
- Provides law enforcement with better resources to investigate rape
- Gives colleges resources to educate students about dating violence and sexual assault.
- Empowers tribal courts to prosecute those who commit domestic violence on tribal lands, regardless of whether the aggressor is a member of the tribe
- Continues to allow relief for immigrant victims of domestic violence
- Provides resources for assistance for LGBTQ victims.