

# VAWA Stands in the Way of a Prosperous America

In 1994 Congress passed a law called the Violence Against Women Act. Each year the federal government spends \$1 billion for VAWA and related laws. Those monies are used for aggressive law enforcement and prosecution programs, as well for victim services.

But VAWA has had severe effects on wage-earners, families, and the American economy.

## ***Wage-Earners Forced out of a Job, Our Homes and Nation at Risk***

The 1996 Lautenberg Amendment prohibits persons who are under a restraining order from owning or using a firearm. But states define domestic violence so broadly that almost anything counts as abuse.

By policy, military personnel charged with DV are also barred from combat roles and subject to immediate discharge. In Colorado Springs, Colo., home to several military facilities, at least 1,000 soldiers are forced out of the military each year.<sup>i</sup>

In addition, Department of Defense policies require that a mere *allegation* of criminal domestic violence is sufficient to rescind the security clearance of employees or military personnel.<sup>ii</sup>

Police departments are similarly affected. It was recently reported that the Minneapolis police department was practically disarmed because so many officers had restraining orders against them.<sup>iii</sup>

As a result, thousands of American wage-earners lose their jobs each year -- and the security of our homes and our nation is placed at risk.

*Highly-decorated Eric Washington of Essex County, NJ had twice been awarded the Medal of Honor. But in 2001 he was accused of domestic violence, a claim that forced him to work a desk job. Several years later, he was acquitted of all charges.*

## ***Family Break-Down Fuels Expanding Welfare Rolls***

Stable families are the most important institution for creating social capital. Conversely, family break-down is a major cause of poverty and welfare dependency. The economic consequences of

divorce are conservatively estimated to run \$33.3 billion each year.<sup>iv</sup>

VAWA is the driving force behind the 2-3 million restraining orders that are issued each year. But in half of those orders, physical abuse is not even *alleged*.<sup>v</sup>

Restraining orders serve to escalate partner conflict, prohibit partners from getting counseling, and push women to get a divorce -- even when the abuse was mutual or minor. Many divorces are driven by a claim of domestic violence -- even though a large portion of those allegations are minor or even false.<sup>vi</sup>

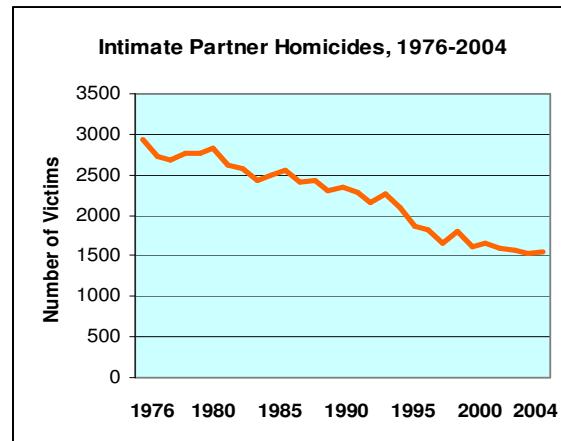
As a result, children grow up in a single-parent household. That places kids at far higher risk for a broad range of social pathologies, including, child abuse, teenage pregnancy, and juvenile delinquency.

These problems fuel the demand for more social welfare services, causing social dependency and a higher tax burden.

## ***DV Programs are Costly, but Ineffective in Stopping Abuse***

Even though billions in taxpayer money have been spent, there is no proof that VAWA has any impact on rates of partner abuse.

Partner homicides began to drop in the mid-1970s. By 1994, the year that VAWA was enacted, homicides had already fallen by 29%. Afterwards, homicide rates continued to follow the same trend:<sup>vii</sup>



## **Undermines Welfare Reform**

The 1996 welfare reform act (PRWORA) has been credited with cutting welfare rolls by half and reducing child poverty rates.

But a little-known provision of PRWORA is the Family Violence Option, which allows persons who claim to be victims of partner abuse to avoid federal requirements for:

- Time limits for welfare benefits
- Residency requirements
- Family cap provisions

Forty-one states have adopted the Family Violence Option and 6 other states have implemented equivalent policies.<sup>viii</sup>

While such options are appropriate for severely abused persons, state laws now define domestic violence so broadly that almost any disagreement between a couple counts as DV.<sup>ix</sup>

## **Larded with Waste, Fraud, and Abuse**

The General Accounting Office has repeatedly documented non-compliance by VAWA grantees.<sup>x,xii,xiii</sup> The Department of Justice Office of the Inspector General has likewise revealed widespread waste and abuse:

- A 2005 audit of Legal Aid of Nebraska identified \$1.3 million in non-allowable and questionable expenses.
- An audit of a grant to the Texas Office of the Governor found that \$852,000 in claimed matching costs could not be documented.
- An audit of Dane County, WI concluded that 99% of the grant expenditures were questionable.

## **Back-Door Strategy to the Welfare State**

Domestic violence laws have steadily expanded their eligibility criteria and benefits. But they have proven to be ineffective in stopping intimate partner violence, all the while undermining the family structure and harming children.

Thousands of productive wage-earners are dismissed from their jobs each year as a result of minor abuse accusations. Our homes and nation are being placed at risk.

**But the domestic violence industry, seemingly immune from oversight, resists all efforts to improve accountability and program effectiveness. Reform of the Violence Against Women Act is long overdue.**



### **Respecting Accuracy in Domestic Abuse Reporting**

*RADAR is spearheading the VAWA Reform Coalition, a group of organizations around the country that is working to educate the public about VAWA abuse:*

[www.mediadar.org/docs/VAWA-Reform-Coalition-Declaration.pdf](http://www.mediadar.org/docs/VAWA-Reform-Coalition-Declaration.pdf)

*For more information, contact:*

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<sup>i</sup> Communication with Charles Corry, PhD, Equal Justice Foundation, Feb. 22, 2007.

<sup>ii</sup> Department of Defense Directive, Number 5220.6. Attachment 10 to Enclosure 2, Guideline J. January 2, 1992.

<sup>iii</sup> Burdick J. Pro-gun activists say women are taking away their rights with domestic laws. Seattle Post-Intelligencer. Jan. 7, 2007.

<sup>iv</sup> David G. Schramm. Individual and Social Costs of Divorce in Utah.

[http://ndspi.org/index.php/site/blog/david\\_schramm\\_study\\_divorce\\_costs\\_the\\_tax\\_payers\\_of\\_north\\_dakota\\_60\\_to\\_80\\_m/](http://ndspi.org/index.php/site/blog/david_schramm_study_divorce_costs_the_tax_payers_of_north_dakota_60_to_80_m/)

<sup>v</sup> RADAR: Without restraint: The use and abuse of restraining orders. 2006.

<sup>vi</sup> RADAR: A culture of false allegations: How VAWA harms families and children, 2007.

<sup>vii</sup> Catalano S. Intimate partner violence in the United States. Washington, DC: Department of Justice, 2006.

<sup>viii</sup> Legal Momentum: Family Violence Option: State by state summary. New York, NY. July 2004.

<sup>ix</sup> RADAR: Expanding definitions of domestic violence, Vanishing rule of law. 2006.

<sup>x</sup> General Accounting Office: Justice discretionary grants. GAO-02-25. November 2001.

<sup>xi</sup> General Accounting Office: Justice impact evaluations. Washington, DC. GAO-02-309. March 2002.

<sup>xii</sup> General Accounting Office: Violence Against Women Office: Problems with grant monitoring and concerns about evaluation studies. GAO-02-641T. April 16, 2002.