



National Task Force to End Sexual & Domestic Violence

The Violence Against Women Reauthorization Act of 2019: Taking it to the Senate

This miniature toolkit is designed for individuals who care deeply about preventing and responding to domestic violence, sexual assault, dating violence and stalking but who do not have the capacity to engage in extensive outreach.

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The Violence Against Women Act of 2019

What is H.R.1585, and what is its status?

On April 4th, the House of Representatives passed H.R.1585, the Violence Against Women Reauthorization Act of 2019, with strong bipartisan support by a vote of [263 - 158](#). H.R.1585 is a bipartisan bill to introduced by Representatives Karen Bass (D-CA-37) and Brian Fitzpatrick (R-PA-1) to reauthorize the Violence Against Women Act (“VAWA”) for five years. It makes modest yet vital improvements that are necessary to prevent domestic violence, sexual assault, dating violence and stalking and to hold offenders accountable.

If H.R.1585 is a House bill, why are we talking about the Senate?

Now that the House has passed a bill, it goes to the Senate. The Senate can take up H.R.1585, they can write their own VAWA reauthorization bill, or they can just let VAWA reauthorization die. They can also extend VAWA’s authorization temporarily, then take one of the preceding actions. It is our job to convince the Senate to take up H.R.1585 or, if they do not, to introduce and pass a bill as similar to H.R.1585 as possible.

Why do we need to reauthorize VAWA every five years?

First, we don’t need to reauthorize all of VAWA - only the grant programs need to be reauthorized. Interstate domestic violence, sexual assault, and stalking do not become legal, just because VAWA is unauthorized, nor does special tribal jurisdiction go away. Inconvenient as it seems, reauthorizing programs is actually beneficial, because it allows us to make updates. We learn more every year about the best ways to prevent and respond to gender-based violence, and the reauthorization process allows us to make use of that knowledge.

Why can’t we just stay with the VAWA we have now?

Every time they have reauthorized VAWA, Congress has made vital, and often groundbreaking, improvements. We know what victims and survivors need, and we know that they cannot wait five more years for those improvements. Although it might seem logical to just reauthorize VAWA in its current form, the longer we delay, the more people experience domestic and sexual violence. In the #MeToo era, we can and we must do better!

What is in H.R.1585?

H.R.1585, the Violence Against Women Reauthorization Act of 2019, is based on extensive outreach to survivors, direct service providers, and other stakeholders. It meets the needs of diverse survivors by:

- Maintaining vital protections for all survivors;
- Investing in prevention;

- Ensuring victim service providers can use VAWA funding to help victims experiencing a range of domestic violence behaviors, not just physical abuse;
- Ending impunity for non-Native perpetrators of sexual assault, child abuse co-occurring with domestic violence, stalking, sex trafficking, and assaults on tribal law enforcement officers on tribal lands;
- Improving access to safe housing and economic independence;
- Protecting dating violence from abusers with firearms;
- Improving the healthcare system's and workplace responses to the four crimes; and
- Improving enforcement of court-ordered firearm relinquishment.

A more detailed summary is available in Appendix A, a myth v. fact two-pager is available in Appendix B, and a detailed section-by-section analysis can be found in Appendix C.

Contacting your Senators

Who are my Senators?

You can find your Senators and their contact information [here](#). The dropdown menu lets you specify the state. You can find their social media handles [here](#).

How can I engage my Senators?

You can engage with your Senators in a number of ways, including via phone, email, social media, at town-hall meetings, or in-person. Please refer to the [full toolkit](#) for more in-depth information about each of these options. Unless you are at a town-hall meeting or other event, you will probably be interacting with a staff person rather than your Senators themselves, but the staff will pass the information onto the Senator - that is the staff's job! Sample scripts are provided below. Social media posts can be found in the section entitled "Social Media."

What am I asking my Senators to do?

While this will change further into the process, right now, you are asking the Senate to either take up H.R.1585 or a substantially similar bill with the same provisions.

If they say they support VAWA, is that the same thing as supporting H.R.1585 or a substantially similar bill?

NO! In order to avoid having to make a firm commitment to you, sometimes a Senator or their staff will tell you that they support VAWA. If they say they support VAWA without specifically saying the support the provisions in H.R.1585, press them on it - ask them to commit to supporting a H.R.1585 or a substantially similar bill!

Script for a call to your Senators:

My name is [your name], and I am a constituent from [your location and, if you are affiliated with a domestic violence or sexual assault program, the name of your program]. I am calling today to urge Senator [your Senator's name] to support a substantially similar companion bill to H.R.1585, the Violence Against Women Act of 2019. The Violence Against Women Act is one of the pillars of the federal response to domestic violence, sexual assault, dating violence, and stalking. [Tell your Senator why VAWA has been so important to your community or, if you have a story you feel comfortable sharing, share your experience]. Every time VAWA has been reauthorized, it has been strengthened based on our increased understanding of gender-based violence. The #MeToo era, when survivors are clamoring for change, is not the time to roll back important protections or even to maintain the status quo. H.R.1585, which passed the House with strong bipartisan support, maintains protections for all victims, makes vital investments in sexual assault prevention, ensures sexual predators who prey on Native women can be held accountable,

protects victims of domestic violence from intimate partner homicide, and increases victims' access to safe housing and economic stability. As a constituent, I urge Senator [*your Senator's name*] to support a substantially similar companion bill in the Senate. Can Senator [*your Senator's name*] commit to that?

Script for a townhall meeting (please see the myth v. fact two-pager on pages 15 and 16 so you can push back on inaccurate statements!):

The House passed H.R.1585, the Violence Against Women Reauthorization Act of 2019, with strong bipartisan support. H.R.1585 is a modest bill that invests in prevention and strengthens protections for victims and survivors of domestic violence, sexual assault, dating violence, and stalking. Now, the Senate has to introduce and pass a companion bill. I am asking you, as a voting constituent, will you commit to supporting a bill with the same provisions as H.R.1585?

Email

Dear [*your Senator's name*],

My name is [*your name*], and I am a constituent from [*your location and, if you are affiliated with a domestic violence or sexual assault program, the name of your program*]. I am emailing you today to urge you to support a substantially similar companion bill to H.R.1585, the Violence Against Women Act of 2019. The Violence Against Women Act is one of the pillars of the federal response to domestic violence, sexual assault, dating violence, and stalking. [*Tell your Senator why VAWA has been so important to your community or, if you have a story you feel comfortable sharing, share your experience*]. Every time VAWA has been reauthorized, it has been strengthened based on our increased understanding of gender-based violence. The #MeToo era, when survivors are clamoring for change, is not the time to roll back important protections or even to maintain the status quo. H.R.1585, which passed the House with strong bipartisan support, maintains protections for all victims, makes vital investments in sexual assault prevention, ensures sexual predators who prey on Native women can be held accountable, protects victims of domestic violence from intimate partner homicide, and increases victims' access to safe housing and economic stability. As a voting constituent, I look forward to your response and to your commitment to supporting victims and survivors by supporting a bill substantially similar to H.R.1585.

Yours truly,

[*Your name and, if applicable, title and organization*]

Social media

Why use social media?

Social media is a quick and easy way to contact your Senators. Not only is it efficient, everyone else who looks at your Senators' pages can also see your message! However, unlike with a call or email, you probably won't get a response. You can find your Senators' social media accounts [here](#).

Hashtags

The hashtags for this campaign are #HR1585, #VAWA19, and #VAWA4ALL

Sample Facebook Posts

The Violence Against Women Act has been one of the cornerstones of America's response to domestic violence, sexual assault, dating violence, and stalking for the past quarter-century. Every time Congress has reauthorized VAWA, they have strengthened it to improve protections and access to safety and justice for all survivors. VAWA has expired, and it is time to renew it with modest but vital improvements. In the Me Too era, we cannot afford to maintain the status quo or, even worse, to roll back hard-fought gains. I call on you to support a companion bill substantially similar to #HR1585, the Violence Against Women Reauthorization Act of 2019, which passed the House with strong bipartisan support. #VAWA19 #VAWA4ALL

Sample Tweets

- **@SenatorHandle** Now is NOT the time to maintain the status quo. Any bill coming through the Senate must be substantially similar to #HR1585. Victims & Survivors need a #VAWA19 with enhancements! #VAWA4ALL
- **@SenatorHandle** We need a #VAWA19 bill in the Senate that supports ALL SURVIVORS. I urge you to publicly support a bill substantially similar to #HR1585!
- **@SenatorHandle** Victims & Survivors of gender-based violence need a #VAWA19 introduced in the Senate that is substantially similar to #HR1585. We need a #VAWA4ALL!

Social media graphics can be found in Appendix D.

Using the media: op-eds and letters to the editor

What makes a good op-ed or letter to the editor?

A good op-ed is succinct and makes a point. You have a message to get across to people - focus on that rather than going off on tangents. The New York Times' guide to writing a strong op-ed or letter to the editor can be found here. An op-ed can usually be *up to 750 words*, and a letter to the editor is usually between *200 and 300 words*. Check your newspaper's policies for specific length information and for submission instructions. Please feel free to use the templates below or write your own from scratch!

Op-ed template

Time to Move Beyond Statistics - [*Your name and, if applicable, title and organization*]

The statistics are staggering. [*Choose statistics from the list of talking points provided below*].

Domestic violence, dating violence, sexual assault, and stalking. They fill emergency rooms and morgues, keeps employees from being able to work, terrorize children, and interfere with their ability to learn. They drives up health care costs, contribute to crime on our streets, and cause lasting harm to families and communities.

It's time – way past time – to do much more to stop this violence, and to protect our communities. [*Choose one or more improvements from the list of talking points below to focus on*]. That means reauthorizing the Violence Against Women Act with modest but meaningful improvements that enhance our nation's response to these heinous crimes. That means moving forward - never backwards and never remaining static.

Domestic and dating violence, rape and sexual assault, and stalking are pervasive problems in our society. No community is unaffected. They affect us all - they are all of our business. Recognizing this, Congress passed the Violence Against Women Act (VAWA) in 1994 to improve the nation's response to the four crimes. It has been reauthorized three times since then, in 2000, 2005, and 2013; each reauthorization made vital improvements to previous law.

[*OPTIONAL - direct service provider/advocate explain the services your organization provides; individuals explain why you are passionate about VAWA. You can also use the talking points below to explain what VAWA does and how impactful it has been*]

The time is upon us to reauthorize VAWA again, and this reauthorization, too, must be responsive to the needs of victims and survivors. H.R.1585, the Violence Against Women Reauthorization Act of 2019, passed the House of Representatives with strong bipartisan support. This bill, based on extensive consultation with victim service providers, law enforcement, and other experts, preserves previous gains and improves current law to better meet the needs of victims and survivors of domestic violence. It invests in prevention. It increases access to justice and safety for Native women. It protects victims and survivors and helps them rebuild

their lives.

VAWA's authorization expired in mid-February. Now more than ever, we need Congress to make it a priority to reauthorize the Violence Against Women Act with the modest enhancements encapsulated in H.R. 1585 – essential legislation that authorizes funding for victim services, prevention programs and other critically needed community services. Stopping domestic and sexual violence and protecting victims must be a priority in our city, our state and our country. There's no time to waste. I call on Senators [*your Senators' names*] and all of Congress to support a Senate bill substantially similar to H.R. 1585 - your constituents are counting on you to do the right thing!

Letter to the editor template

To the Editor,

[*Your organization*] is urging our community and our elected officials to support the reauthorization of the Violence Against Women Act (VAWA). VAWA saves lives, supports families, and needs to be reauthorized. A strong, bipartisan VAWA reauthorization bill (H.R. 1585) passed the House of Representatives with strong bipartisan support. Around the country, one in five women has been raped in her lifetime, one in three women will experience domestic violence, and more than three women are murdered by their partners every day. In our own community, [*explain how gender-based violence impacts your community*].

It is crucial that we know where our elected officials stand when it comes to preventing gender-based violence and protecting survivors. Every current Member of the Congress should also publicly declare their support for the reauthorization of VAWA with key enhancements and targeted fixes and with no rollbacks . It's time to hold Congress accountable for helping to make sure all survivors are safe and free from violence and fear. We call on Senators [*your Senators' names*] to support victims and survivors by supporting a bill substantially similar to H.R.1585 in the Senate.

[*Your name, title, organization*]

Talking points for op-eds and letters to the editor:

- *Senators should support a Senate bill substantially similar to H.R.1585, which passed the House with strong bipartisan support.*
- The Violence Against Women Act is one of pillars of the federal response to domestic violence, sexual assault, dating violence, and stalking (“the four crimes”).
- While the four crimes have decreased significantly since 1994 when VAWA was first passed, rates of violence are still far too high:
 - One in five women and one in 59 men are raped in their lifetimes;

- One in four women and one in seven men experience severe physical abuse by an intimate partner in their lifetimes;
- One in six women and one in nineteen men experience stalking in their lifetimes;
- A woman is murdered by a male intimate partner with a gun every sixteen hours;
- The four crimes disproportionately impact women and members of underserved communities.
- Maintaining the status quo is not acceptable, nor is rolling back vital protections for all survivors
- What VAWA does:
 - VAWA provides grants to transform law enforcement's and the legal system's response to the four crimes by bringing together victim service organizations, law enforcement, community-based organizations, prosecutors, judges, and other stakeholders to develop coordinated community responses;
 - VAWA funds prevention through a number of grants that approach prevention from different angles;
 - VAWA funds services to victims of the four crimes, including crisis intervention, domestic violence and sexual assault advocacy, shelter services, legal services and advocacy, housing for survivors, community-based interventions, and other important services;
 - VAWA funds population-specific programming, including programs designed to meet the needs of communities of color, older adults, rural communities, people with disabilities, young adults, LGBTQ people, and others; and
 - VAWA provides critical legal protections to all survivors.
- VAWA has transformed America's response to the four crimes.
 - Since 1994, when VAWA was first passed, the rate of domestic violence has decreased 63%.
 - VAWA has strengthened victims' involvement in the criminal legal system, including their likelihood of reaching out for help.
 - A study of Kentucky survivors found that when survivors seek protective orders, threats to harm or kill the survivors decreased by nearly 50%, moderate physical abuse decreased by 61%, and severe physical abuse decreased by 50%.
 - Research shows that sexual assault response teams - a form of coordinated community response - improve legal outcomes, the experience of the victim, and multidisciplinary cooperation.
 - VAWA-funded court and law enforcement reforms have improved access to safety and justice for survivors, increased offender accountability, and decreased recidivism.

- VAWA-funded prevention programming has been empirically demonstrated to reduce sexual violence.
- Between 2014 and 2016, VAWA funding provided more than one million victim services for survivors of the four crimes, including almost 2 million shelter nights, 600,000 hotline calls, victim advocacy for almost 300,000 unique individuals, and legal services for almost 100,000 survivors. Every six months in that period, VAWA funding served an average of 112,000 primary survivors and their children.
- VAWA saves money. A 2002 study found that in its first five years, VAWA saved \$15 billion in averted costs.
- VAWA has ended impunity for domestic abusers who prey on Native women on tribal lands.
- VAWA protects diverse survivors, including LGBTQ survivors, older adult survivors, survivors with disabilities, immigrant survivors, Native survivors, and others.
- H.R.1585, which passed the House with strong bipartisan support, is based on extensive outreach to direct service providers, other experts in the field, victims, survivors, and a variety of other stakeholders. It:
 - Maintains vital protections for all survivors;
 - Invests in prevention;
 - Ensures victim service providers can use VAWA funding to help victims experiencing a range of domestic violence behaviors, not just physical abuse;
 - Ends impunity for non-Native perpetrators of sexual assault, child abuse co-occurring with domestic violence, stalking, sex trafficking, and assaults on tribal law enforcement officers on tribal lands;
 - Improves access to safe housing and economic independence;
 - Protects dating violence from abusers with firearms;
 - Improves the healthcare system's and workplace responses to the four crimes; and
 - Improves enforcement of court-ordered firearm relinquishment.
- The Senate should pass a bill substantially similar to H.R.1585. We cannot go backwards, nor can we maintain the status quo. Lives are at stake.

Appendix A - H.R.1585 Summary



National Task Force to End Sexual & Domestic Violence



Violence Against Women Act (VAWA) Key Recommendations from Advocates for Reauthorization

The National Task Force to End Sexual and Domestic Violence ("NTF") is focused on the development, passage and implementation of effective public policy to address domestic violence, dating violence, sexual assault and stalking. The full membership of the NTF is comprised of a large and diverse group of national, tribal, state, territorial and local organizations, as well as individuals, committed to securing an end to violence against women.

The NTF is supporting a limited number of key enhancements to the Violence Against Women Act based on our process of broadly surveying thousands for advocates and allied professionals about the needs of survivors and communities. This extensive feedback from the field informed the work of subject matter workgroups that developed specific recommendations to improve VAWA in critical areas. *Any bill that erodes current protections is unacceptable.*

INVEST IN PREVENTION:

- Increase the authorization of the Rape Prevention & Education Program (RPE) to \$150 million (current authorization \$50 million) and specifically include sexual harassment to its authorized use. Demand for programs funded by RPE have skyrocketed with the #MeToo movement and the national focus on campus sexual assault, and a corresponding increase is critically necessary to meet the need of communities.
- Increase the authorization for VAWA Consolidated Youth grants. Prevention education that engages men and boys as allies and promotes healthy relationships is key to reducing gender-based violence. Increased funding opportunities will provide programs with the resources they need to increase the depth and reach of these critical programs.

EXPAND ACCESS:

- Promote safety for victims of violence on tribal lands by: clarifying that tribal courts can hold domestic violence offenders who assault tribal police officers or other justice

officials accountable; ensuring non-Indian perpetrators who commit sexual assault, stalking, child abuse, and trafficking on tribal lands are held accountable; creating a permanent authorization for DOJ's Tribal Access to National Crime Information Program; improving the response to cases of missing and murdered women in tribal communities; and addressing the unique barriers to safety for Alaska Native women.

- Expressly add sexual harassment to the allowable uses of the Workplaces Respond to Domestic and Sexual Violence: A National Resource Center, which provides tools, resources, and training to private employers and federal agencies.
- Promote economic security for survivors and assist with supports for leaving abusers with targeted enhancements to existing law including allowing domestic violence, sexual assault and stalking victims to be eligible for unemployment insurance; protections from discrimination in employment based on one's status as a victim; research into the economic impacts of victimization on college students, and public education related to economic abuse and economic security for victims.
- Train healthcare providers to better recognize and respond to domestic violence, dating violence, sexual assault and stalking across the lifespan, particularly through HRSA programs such as the Maternal, Infant, and Early Childhood Home Visiting program.

REMOVE BARRIERS:

- Ensure compliance with VAWA non-discrimination requirements and guarantee equal access to VAWA protections for all victims regardless of gender, especially those from marginalized communities.
- Enforce housing rights for survivors/victims, create a position at HUD specifically tasked with this work, increase survivors' options to maintain housing or break their leases, and strengthen the emergency transfer protections in federal housing programs to assist survivors needing to flee their homes due to safety concerns.
- Add a new purpose to the Improving Criminal Justice Response grant program to implement alternative justice responses that are focused on victim autonomy, agency and safety to provide resolution and restitution for the victim.
- Strengthen privacy protections across state lines, online with digital records, and preserve confidentiality upon survivor's death in accordance with their wishes.
- Discourage the use of bench warrants and other body attachments to compel victim cooperation and testimony, as this has been found to be traumatizing for the victim and counterproductive in encouraging victims to cooperate.
- Acknowledge the trauma of incarceration on women and their family members, especially their children, and improve health care services and trauma informed responses to better prepare incarcerated women to return to their communities.
- Improve enforcement of current domestic violence-related firearms laws and equally protect all victims.

DEFINITIONS:

Revise a few definitions to clarify language, match state laws, address new technological concerns, and provide technical corrections. These definitions apply to VAWA grants only and do not amend the criminal code.

- New definitions include: Abuse in Later Life (in lieu of elder abuse); Alternative Justice Response; Digital Services; Forced Marriage; Economic Abuse; and Technological Abuse.
- Amended definitions include:
 - Domestic Violence – the original definition is outdated and does not sync with most state laws; correct unintended 2013 deletion of “Court-based and court-related personnel.”
 - Legal Services (to include vacatur and expungement).

NEW GRANT CONDITIONS:

- Allow grantees to use technology to protect victim privacy.
- Extend advocate confidentiality beyond the death of the victim so victims feel free to communicate fully with their advocates without concern for reputation, civil liability, or possible harm to friends or family.

AMENDED GRANT CONDITIONS:

- Clarify that VAWA confidentiality applies to federal and state agencies seeking information from grantees.
- Urge DOJ’s Office on Violence Against Women (OVW) to make training widely available.
- Permit grantees to serve victims of forced marriage who are also victims of a VAWA crime.
- Increase the cap on expenditures requiring Deputy Attorney General approval to allow DOJ’s Office on Violence Against Women to more easily provide oversight and support for VAWA multi-day training events.

Appendix B - H.R.1585 Myths and Facts

H.R.1585 is not a partisan bill

Myth: Opponents of H.R.1585 inaccurately claim it is a partisan goody bag.

Fact: We have worked on a bipartisan basis for two-and-a-half years to develop a strong yet modest reauthorization that meets the needs of victims and survivors.

A straight reauthorization is not acceptable/we do not need more time

Myth: People who oppose H.R.1585 claim that we need a short-term extension of the current law to provide more time to work on reauthorizing it.

Fact: We have been working with Congress on VAWA reauthorization for two-and-a-half years. We do not need more time, and we cannot afford to maintain the status quo. Thousands of people experience sexual and domestic violence daily - they cannot wait!

Funding for the Violence Against Women Act

Myth: Opponents of H.R.1585 falsely claim that VAWA is not currently being funded.

Fact: VAWA is funded at record levels for the remainder of the fiscal year (until midnight September 30) We fully expect it to be funded for the upcoming fiscal year, too.

Myth: Opponents complain that new provisions will curtail or dilute VAWA's resources.

Fact: H.R. 1585 responds to survivors' desire to secure accountability and services outside the criminal justice system. Congress has recognized the need to fund a comprehensive response to domestic and sexual violence, and we believe that will continue.

Closing the boyfriend and stalking loopholes

H.R.1585 prohibits people *convicted* of misdemeanor dating violence or stalking, people subject to dating violence protective orders, and people subject to temporary protective orders from having guns.

Myth: The NRA falsely claims H.R.1585 is an unprecedented expansion of gun laws. They claim misdemeanor convictions have never prohibited someone from having a gun.

Fact: *For a quarter century, federal law has prohibited people convicted of misdemeanor domestic violence from having guns.* H.R.1585 just updates the law to include dating abusers and stalkers.

Myth: The gun lobby falsely claims that H.R.1585 dating violence and stalking are "vague" terms. They further claim someone could lose their gun access after going on one bad date or for sending too many text messages.

Fact: H.R.1585 clearly defines dating violence and stalking. Plus, for dating misdemeanors, the *perpetrator has to use physical force or threaten the victim with a deadly weapon*. Annoying text messages do not count.

Myth: Opponents of H.R.1585 falsely claim it violates the due process rights of the person who is losing their gun access.

Fact: *Robust due process protections are built into both H.R.1585 and current law*, and courts are involved every step of the way. The phrases ‘due process,’ ‘notice,’ and ‘opportunity to be heard,’ actually appears in the bill language (Title VIII, paragraph (2)(A))!

Myth: Confused people believe H.R.1585 contains “red flag laws.”

Fact: “Red flag laws” (extreme risk protection orders - ERPOs) are different from laws to keep guns out of the hands of domestic abusers and stalkers. ERPOs cover people experiencing crises that make it temporarily inadvisable for them to have firearms, not adjudicated abusers and stalkers.

Preserving existing nondiscrimination protections for all survivors

VAWA-funded programs serve *all* survivors of sexual and domestic violence and stalking, regardless of gender or gender identity.

Myth: There is a common misunderstanding that the Violence Against Women Act only funds services and programs for “women” and is not intended to serve all survivors of domestic violence, sexual violence, dating violence, and stalking.

Fact: VAWA has always been gender neutral. Since 2013, VAWA has explicitly protected all survivors’ ability to find the support they need by prohibiting discrimination based on race, color, national origin, religion, sex, gender identity, sexual orientation, or disability. While women, including transgender women, are disproportionately impacted by this violence, people of all gender identities experience violence and deserve access to life-saving services.

Myth: Anti-transgender activists are attempting to use fear by saying that transgender people make other survivors unsafe in domestic and sexual violence services in order to prevent transgender people from having the same protections as everyone else.

Fact: There is clear evidence that increasing access for transgender survivors does not decrease safety for other survivors. In 2016 over 300 domestic violence and sexual violence organizations across the country signed a [National Consensus Statement](#). In 2017, more than 60 chiefs of police, sheriffs, and law enforcement officers authored a [brief](#) in federal court supporting equal access for transgender students to public facilities. These leaders agree: transgender women victims being served alongside other women is appropriate and not a safety issue.

Appendix C - Section-by-Section

Universal Definitions and Grant Conditions

Sec. 2 Amendments to VAWA section on universal definitions and grant conditions. VAWA 2019 incorporates a number of new terms and amends existing terminology. Among the new terms are “abuse in later life,” “alternative justice response,” “digital services,” “economic abuse,” “forced marriage,” and “technological abuse.” It also updates the existing grant definitions for domestic violence and elder abuse and amends the criteria for certain grant conditions pertaining to the nondisclosure of confidential or private information.

TITLE I — Enhancing Legal Tools to Combat Domestic Violence, Dating Violence, Sexual Assault and Stalking

Sec. 101 The bill allows the use of STOP grants to develop effective law enforcement tools and protocols for preventing domestic violence homicides. This includes ensuring the appropriate recovery and storage by law enforcement of dangerous weapons by adjudicated perpetrators of domestic violence, dating violence, sexual assault or stalking, as well as the return of such weapons where appropriate. Further, it conditions eligibility for grant monies on the development of protocols that discourage compelling victim testimony in order to support more trauma-informed approaches. It preserves dedicated funding levels for fiscal years 2020 through 2024.

Sec. 102 The bill renames this section as Grants to Improve the Criminal Justice Response. It focuses on the implementation of programs for offender accountability and homicide reduction. It eliminates the use of the term “older individuals” in favor of the term “people 50 years of age or over.” The bill also establishes an additional purpose area by introducing language to support the possibility of providing grants for pilot programs focused on increasing survivor and community safety by supporting voluntary alternative and community-based methods of survivor safety and perpetrator accountability. It also allows the use of grant monies to carry out policies and procedures relative to the surrender, removal and storage of firearms and ammunition from prohibited possessors and the return of firearms when appropriate. The bill preserves dedicated funding for 2020 through 2024.

Sec. 103 The bill preserves dedicated funding for legal assistance for victims for fiscal years 2020 through 2024, and permits such legal assistance to address the needs of the dependents of victims.

Sec. 104 The bill preserves dedicated funding, for fiscal years 2020 through 2024, for grants to support families in the justice system with a history of domestic violence, dating violence, sexual assault, or stalking.

Sec. 105 The bill preserves dedicated funding for fiscal years 2020 through 2024 for grants for outreach and services to underserved populations.

Sec. 106 The bill ensures that the limitations placed on the Internet publication of information pertaining to the filing of a protection order apply in a particular State, territorial or tribal jurisdiction regardless of whether the protection order was issued in that same State, territory, or tribal jurisdiction. The bill also ensures that all Alaska tribes have the same full civil jurisdiction as other tribal courts already have to issue and enforce protection orders.

Sec. 107 The bill preserves dedicated funding for fiscal years 2020 through 2024 for grants to states that have in place laws allowing the mother of a child conceived through rape to seek court-ordered termination of the parental rights of her rapist with regard to that child.

TITLE II – Improving Services for Victims

Sec. 201. The bill preserves dedicated funding for fiscal years 2020 through 2024 for grants to States, territories, and Indian Tribes for sexual assault services programs.

Sec. 202. The bill preserves dedicated funding for fiscal years 2020 through 2024 for grants to States, territories and Indian Tribes for rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.

Sec. 203. The bill preserves dedicated funding for fiscal years 2020 through 2024 for grants to provide services for survivors with disabilities in. It includes a minor language change directing funds for capacity-building to organizations to respond to victims of domestic violence, dating violence, sexual abuse, and stalking who are people with disabilities.

Sec. 204. The bill preserves dedicated funding for fiscal years 2020 through 2024 to educate community-based organizations and other professionals on abuse in later life, enhance coordinated community response teams and advance services for older survivors of abuse. It introduces minor language changes to clarify eligibility criteria and expand who can receive training and education pursuant to grants.

TITLE III – Services, Protection, and Justice for Young Victims

Sec. 301 The Rape Prevention & Education Program authorization would be increased to \$150 million under this bill, for each of fiscal years 2020 through 2024. It requires that at least 80% of funds go to States for community-based prevention activities in collaboration with State sexual assault coalitions that work on rape prevention activities. The bill expands the categories for permitted use of funds to reflect the work grantees are engaged in that specifically addresses sexual harassment.

Sec. 302 The bill clarifies that funding under the CHOOSE program for children and youth is being provided for the core areas of VAWA—domestic violence, dating violence, sexual assault, and stalking—and that services that target youth should also incorporate youth in underserved communities. It seeks to increase funding by \$10M annually, for fiscal years 2020 through 2024, to \$25M annually. The bill directs that funds may also be used to clarify State or local mandatory reporting policies and practices regarding peer-to-peer dating violence, sexual assault, and

stalking. The bill would include sex trafficking and bullying as elements that can be addressed with CHOOSE grants when part of a comprehensive youth violence response program.

Sec. 303 The bill improves campus grant programs, for fiscal years 2020 through 2024, to support institutions of higher education in developing *and* disseminating comprehensive prevention education for all students. The bill expands training for school-based personnel and campus health centers to meet the needs of young victims of violence. The bill seeks to increase funding, by \$4M annually, to \$16M for fiscal years 2020 through 2024.

Sec. 304 The bill provides for an enhanced penalty (up to five extra years) for stalkers of children, but it limits application of the enhancement, under certain circumstances, if the person who committed the offense is also a minor or the victim is not less than 15 nor more than 17 years of age and not more than three years younger than the person who committed the offense. The bill also requires the Attorney General, not later than one year after its enactment, to submit a report to Congress on best practices regarding the enforcement of anti-stalking laws.

TITLE IV – Violence Reduction Practices

Sec. 401 The bill clarifies that funds administered by the Centers for Disease Control and Prevention are to be appropriated for research on prevention and intervention programs whose goal is to reduce and prevent violence against adults, youth, and children. The bill also preserves dedicated funding for fiscal years 2020 through 2024 for these CDC grants.

Sec. 402 Under this bill, the SMART Prevention grants administered by the Attorney General would prioritize youth violence prevention programming that includes outcome-based evaluation, that does not duplicate existing efforts, and that has a significant focus on underserved populations. The bill restores the authorized appropriation for this program back to its originally authorized annual level of \$45M, for fiscal years 2020 through 2024.

TITLE V – Strengthening the Healthcare Systems Response

Sec. 501 The bill seeks to address the four “VAWA crimes”—domestic violence, dating violence, sexual assault, and stalking—across the lifespan, including addressing domestic and sexual violence experienced by older adults and children/youth. For these purposes, it preserves dedicated funding, through the Secretary of Health and Human Services (HHS), for fiscal years 2020 through 2024. It broadens the reach of grants that develop services to address the safety, medical, and mental health needs of patients, while maintaining their local focus of providing funds to State domestic and sexual violence coalitions to improve their capacity to coordinate with and support health advocates and other health system partnerships.

The bill directs HHS to focus some of its grants on training programs to improve the capacity of early childhood programs to address their responses to domestic violence, dating violence, sexual assault, and stalking. It specifies that funding for the development of culturally competent clinical trainings in the context of medical and health education shall specifically address

protective factors related to labor and sex trafficking. It also authorizes the development, implementation, and evaluation of best practices, tools, and training materials for behavioral health professionals to identify and respond to the enumerated VAWA crimes and it incorporates the integration of knowledge about these crimes into professional licensing and accreditation by mental health boards.

The bill provides a portion of the funding to implement and support programming for community health centers, rural health providers and others who serve medically-underserved communities. The bill also authorizes the development of programs to improve the ability of substance use disorder treatment programs to address issues pertaining to the four VAWA crimes, and improves “data collection” regarding the VAWA crimes and their interaction with substance use disorder, coerced use of substances, and mental or behavioral health.

TITLE VI – Safe Homes for Victims

Sec. 601 The bill clarifies that a “covered housing program” includes the direct loan program that provides supportive housing for the elderly and it adds five additional programs as VAWA covered programs, including housing assistance for homeless veterans and homeless veterans with special needs. The bill incorporates a definition of “covered housing provider,” for purpose of this section, which incorporates those persons and entities responsible for administration or oversight of a covered housing program, including public housing agencies, State and local governments, and Continua of Care.

The bill adds a prohibition that survivors cannot be evicted based on the criminal activity of a perpetrator of abuse. Any adverse eviction decision requires an individualized review of the relevant circumstances and an opportunity to challenge the decision. In the event of a “family break-up,” the bill requires a covered housing provider to afford the survivor an opportunity to establish their own eligibility for the covered housing program, or give the survivor at least 180 days to find new housing or to establish eligibility for another covered housing program. The bill permits early termination of a covered housing program lease by a victim of domestic violence, dating violence, sexual assault, or stalking. The bill requires that tenants who are victims of domestic violence, dating violence, sexual assault, or stalking be transferred to another available safe dwelling assisted under covered housing if they request transfer and they reasonably believe they are threatened with imminent harm or they have been sexually assaulted on the premises during the 180-day period preceding the transfer request.

The bill also requires HUD to adopt an emergency transfer policy for use by covered programs associated with each HUD regional office, to include policies that mandate that emergency transfers take priority over non-emergency transfers and over existing waiting lists and that incorporate confidentiality measures. The bill requires covered housing providers to make an internal transfer to another safe unit within 10 days, or, if unavailable, provide a tenant protection voucher or external transfer. The bill provides for emergency transfer vouchers for victims, and it

authorizes \$20M for tenant protection vouchers to facilitate emergency transfer for each of fiscal years 2020 through 2024. Implementation with respect to each covered housing program includes training for staff of covered housing programs and dissemination of information pertaining to service providers in the coverage area.

Sec. 602 The bill establishes a requirement for annual reviews by each covered housing program to ensure compliance with the housing protections established on behalf of victims of the VAWA crimes. The bill establishes a Violence Against Women Director in HUD (HUD Director), and implements data collection and oversight practices. It also prohibits covered housing providers from retaliating against persons exercising their rights or participating in processes relative to the housing protections established to benefit victims of VAWA crimes.

Sec. 603 The bill confers the right to report crimes and emergencies from one's home and prevents landlords, homeowners, residents and occupants, guests and housing applicants from being penalized by any covered governmental entities for requesting law enforcement or emergency assistance based on criminal activity for which they (or another person) are the victim. Covered governmental entities include any municipal, county or state entities receiving federal housing and community development funding, including subgrantees of such funding. The bill authorizes grants for the development and implementation of effective, alternative crime reduction methods to supplant punitive programs and policies, including proscribing the imposition of penalties on victims of crimes because criminal activity occurred at the property.

Sec. 604 The bill preserves funding for fiscal years 2020 through 2024 for transitional housing grants for victims of domestic violence, dating violence, sexual assault, or stalking. It also makes such funds available to "population-specific organizations."

Sec. 605 The bill makes eligibility for Continuum of Care grants (McKinney-Vento Homeless Assistance Grants) to those serving homeless individuals or families and also makes such grants available for use to facilitate and ensure compliance with the provisions of VAWA that provide housing protections for victims of the VAWA crimes. The bill preserves funding for fiscal years 2020 through 2024 for collaborative grants to increase the long-term stability of victims who are homeless or at risk of becoming homeless.

Sec. 606 The bill requires that annual public housing agency plans include copies of (1) all standardized notices issued pursuant to VAWA; (2) the VAWA emergency transfer plan; and (3) all memoranda of understanding with other covered housing providers to facilitate emergency transfers. In addition to descriptions already required under existing law, the bill also requires that the annual housing agency plans include descriptions of all training and support services offered to staff of the public housing agency relative to VAWA crimes and the implementation of VAWA's housing protections.

TITLE VII – Economic Security for Victims

Sec. 701 The bill makes a series of findings pertaining to the prevalence of sexual violence, domestic violence and intimate partner violence, stalking, workplace homicides, firearm deaths,

and the presence of firearms in domestic violence situations; the negative effects of domestic violence on the workplace and on the autonomy, liberty, and security of survivors; the cost of intimate partner violence and its effect on workplace productivity; the prevalence of economic abuse; and the need for additional responses to assist survivors.

Sec. 702 The bill reauthorizes the National Resource Center on Workplace Responses to Assist Victims of Domestic and Sexual Violence, and increases its authorization to \$2M annually for fiscal years 2020 through 2024. The bill also extends grant authority to assist victims of sexual harassment and extends the provision of information and assistance by the Resource Center to victim service providers.

Sec. 703 The bill provides that State unemployment compensation shall not be denied to an individual who voluntarily separates from employment if such separation is attributable to the individual being a victim of sexual or other harassment, or a survivor of domestic violence, dating violence, sexual assault, or stalking. The bill sets forth the types of documentation that shall be considered to establish eligibility for unemployment compensation. The bill also requires that States streamline their procedures for documenting eligibility for unemployment compensation by victims and survivors.

The bill provides for the training of unemployment compensation personnel and personnel of the Temporary Assistance for Needy Families (TANF) program, regarding these new provisions. It authorizes the Secretary of Labor to award grants for the development and dissemination of a model training program and technical assistance relative to sexual and other harassment, domestic violence, dating violence, sexual assault and stalking for unemployment compensation and TANF personnel, including at the State, tribal, and local levels. The bill authorizes \$1 M for fiscal year 2020 for development of the model training program and \$12M for fiscal years 2020 through 2024 for grants to States, tribal, and local agencies.

The bill ensures that this section does not supersede any Federal, State or local law, agreement, program, or plan that provides greater unemployment benefit insurance to survivors, and preempts any State or local laws, collective bargaining agreements, or employment benefits programs or plans that diminish the guarantees under this bill. The bill also provides for effective dates for implementation of this section and for extensions of the effective dates for States that would need to amend their laws to enable proper implementation.

Sec. 704 The bill directs the Secretary of Health and Human Services, in consultation with the Secretary of Labor, to conduct a study on the barriers that survivors experience, throughout the United States, in maintaining economic security, as a result of issues related to domestic violence, dating violence, sexual assault, and stalking. The bill requires the issuance of recommendations to ensure successful implementation of provisions to ensure the economic security of survivors.

Sec. 705 The Comptroller General is directed to carry out a GAO study, to be completed 18 months from enactment of the bill, on the effects of domestic violence, dating violence, sexual assault, or stalking on survivors' ability to continue their enrollment in institutions of higher

education and their ability to repay their student loans. Among other things, the study would assess the ability of survivors to establish or maintain financial independence from their abusers.

Sec. 706 The bill directs various agencies to coordinate and provide a national public outreach and education campaign to raise public awareness of the workplace impact of domestic violence, dating violence, sexual assault, and stalking; the resources and rights available for survivors; and best practices on prevention. The bill also directs that the Secretary of Labor and the Secretary of Health and Human Services conduct a study on the status of workplace responses to employees who experience domestic violence, dating violence, sexual assault, or stalking and their access to supportive resources and economic security. The bill authorizes appropriations to carry out this section as may be necessary for fiscal years 2020 through 2024.

Sec. 707 This section provides for severability, should any portions of this bill later be held unconstitutional.

TITLE VIII – Homicide Reduction Initiatives

Sec. 801 For purposes of the criminal code in Title 18, the bill updates the definition of “intimate partner” and clarifies the meaning of “misdemeanor crime of domestic violence.” The definition of intimate partner is updated to include a dating partner or former dating partner. Sec. 801 also clarifies that a misdemeanor crime of domestic violence includes an offense that is a misdemeanor under municipal law. The bill defines a misdemeanor crime of stalking as an offense that involves taking an action which causes, attempts to cause, or would reasonably be expected to cause emotional distress by harassment, intimidation, or surveillance of another person. In order to be considered to have been convicted of a misdemeanor crime of stalking, the convicted individual must have been offered basic due process guarantees.

Sec. 802 The bill prohibits persons previously convicted of misdemeanor stalking from possessing firearms and it makes it unlawful for a person to sell or transfer a firearm or ammunition to any person they believe, or have reasonable cause to believe, has been convicted of misdemeanor stalking. The bill prohibits respondents to *ex parte* protection orders from possessing firearms, as long as these individuals have appropriate due process opportunities to respond to the protection order. A person subject to a court order that restrains such a person from intimidating or dissuading a witness from testifying in court is also a prohibited possessor. The bill also prohibits a person from selling or transferring a firearm or ammunition to any person they believe or have reasonable cause to believe is subject to a protection order, including an *ex parte* protection order or an order that restrains the person from intimidating or dissuading a witness from testifying in court.

TITLE IX – Safety for Indian Women

Sec. 901 The bill makes a number of findings regarding the extraordinarily high rates of murder committed and violent crimes perpetrated against American Indian and Alaska Native women.

Sec. 902 The bill authorizes \$3M, per fiscal year, for 2020 through 2024, for the Tribal Access Program, to enhance the ability of tribal government entities to enter information into and obtain information from Federal criminal information databases. This repurposes funding allocated under VAWA 2005 to create a tribal sex offender and protection order registry.

Sec. 903 The bill amends 25 USC 1304 to add sexual violence, stalking, trafficking, obstruction of justice, assaults against law enforcement and corrections officers, and domestic violence against children to the scope of criminal conduct that can be prosecuted in tribal courts against non-Indians who commit a crime in Indian country, if the crime occurs within the territory of a participating tribe (i.e., one that provides certain due process guarantees), including any participating tribes in the State of Maine. The Indian Civil Rights Act currently recognizes “special tribal domestic violence jurisdiction” over domestic violence offenses committed against Indians in Indian Country. The jurisdiction in this section is termed “special tribal criminal jurisdiction.” Under existing law, non-Indians can be prosecuted in tribal court for domestic violence, dating violence, or a criminal violation of a protection order.

The bill amends the definition of domestic violence to reach violence committed against a victim who is a child under the age of 18 or an elder. This section also reaffirms inherent tribal criminal jurisdiction over: assault of a law enforcement or correctional officer; obstruction of justice; sex trafficking; sexual violence; and stalking. The bill authorizes grants to Tribal governments to create a pilot project to allow up to five Indian tribes in Alaska to implement special tribal criminal jurisdiction and, for that specific purpose, to redefine Indian country to include certain lands in Alaska. The bill authorizes \$5M per year for each of fiscal years 2020 through 2024.

TITLE X – Office on Violence Against Women

Sec. 1001 The bill updates the name of the office in the Department of Justice charged with implementing VAWA, from the “Violence Against Women Office” to the “Office on Violence Against Women,” and adds to the jurisdiction of the Office the VAWA reauthorization bills passed in 2005 and 2013, as well as the current reauthorization. The bill clarifies that the Office on Violence Against Women must not be subsumed under any other grant-making office within the U.S. Department of Justice.

TITLE XI – Improving Conditions for Women in Federal Custody

Sec. 1101 The bill directs the Director of the Bureau of Prisons (BOP) to establish an office to determine the placement of prisoners. The office would be required to place prisoners as close to their children as possible. The bill prohibits segregated housing for prisoners who are pregnant, or in post-partum recovery. The bill also requires the BOP to hold parenting classes for prisoners who are primary caretaker parents. It requires training for corrections officers and BOP employees to learn to identify trauma among prisoners and to learn how to refer them to health professionals accordingly. The BOP is directed to furnish proper health care for all prisoners, including access to a gynecologist, and to provide shampoo, toothpaste, toothbrushes and other

hygienic products, at no cost, for prisoners. The Director of the BOP would also be required to issue regulations pertaining to sex-appropriate strip-searches and the use of restrooms by correctional officers that are reserved for prisoners of the opposite sex. The bill prevents the Director of the BOP from prohibiting an eligible prisoner who is a primary caretaking parent or is pregnant from participating in a program of residential substance abuse treatment because, prior to their commitment to the BOP, the prisoner failed to disclose their substance abuse problem. The bill requires implementation of these provisions not later than two years from enactment.

Sec. 1102 The bill directs the BOP to establish, no later than 270 days from enactment, a pilot program to permit women incarcerated in the BOP and the children born to such women during incarceration to reside together while the prisoner serves a term of imprisonment in a separate housing wing of the prison. Any inmate who is pregnant at the beginning of the term of imprisonment in BOP would be eligible to apply for the program. Inmates would be selected to participate for up to 30 months, unless released from custody earlier. The bill directs the development of an offender risk and needs assessment system particular to the health sensitivities of federally incarcerated pregnant women and mothers; the development of recommendations for recidivism reduction programs and productive activities; and ongoing research and data analysis to determine whether revisions or updates to the program are appropriate. The bill directs annual reporting to Congress regarding progress in implementation of the program. The bill would authorize \$10,000,000 per fiscal year, for 2020 through 2024.

TITLE XII – Law Enforcement Tools to Enhance Public Safety

Sec. 1201 The bill requires the National Instant Criminal Background Check System (NICS) to notify law enforcement when a person subject to a domestic violence order of protection or who has been convicted of a misdemeanor crime of domestic violence or stalking fails a background check after three business days and if the prohibited person has taken possession of the firearm. The appropriate agencies for notification are the relevant FBI field office and local, State and Tribal law enforcement.

Sec. 1202 The bill requires the Attorney General, within 24 hours after a person fails a Brady background check due to a domestic violence protective order or conviction for a misdemeanor crime of domestic violence or stalking, to issue a report to State, local, or tribal law enforcement and prosecutors in the jurisdiction where the person sought to acquire the firearm, or to law enforcement authorities and prosecutors in the person's state of residence.

Sec. 1203 The bill authorizes the Attorney General to use existing authority to deputize Special Assistant U.S. Attorneys in at least 75 jurisdictions, including tribal jurisdictions, with high rates of firearm-involved intimate partner violence, to enforce or assist the U.S. Attorneys' offices in prosecuting persons who have violated certain federal firearms prohibitions. It also allows the deputization of State, tribal, territorial and local prosecutors and law enforcement officers for the purpose of enhancing the work of the Bureau of Alcohol, Tobacco, Firearms and Explosives

(ATF) in responding to intimate partner violence. The bill also requires ATF field offices and U.S. Attorney's Offices to appoint domestic violence points of contact to expedite requests for assistance from State, tribal, territorial and local law enforcement. It authorizes such funds as are necessary to carry out this section.

TITLE XIII – Closing the Law Enforcement Consent Loophole

Sec. 1301 The bill makes it unlawful for a person, while acting under color of law, to knowingly engage in a sexual act with an individual who is under arrest, in detention or otherwise in the actual custody of any Federal law enforcement officer. The bill establishes that, in such a prosecution, it shall not be a defense that the other individual consented to the sexual act. A person found guilty of this offense may be imprisoned for up to 15 years. The bill also authorizes the Attorney General to make grants to States, Tribes and territories that have in effect laws prohibiting a person charged with unlawfully engaging in a sexual act while acting under color of law, and which foreclose the defense of consent to such an act by the victim. The bill authorizes \$5M for each of fiscal years 2020 through 2024.

TITLE XIV – Other Matters

The bill preserves funding for fiscal years 2020 through 2024 for the following: National Stalker and Domestic Violence Reduction (**Sec. 1401**), Federal Victim Assistants Reauthorization (**Sec. 1402**), Child Abuse Training Programs for Judicial Personnel and Practitioners Reauthorization (**Sec. 1403**), Sex Offender Management (**Sec. 1404**), Court-Appointed Special Advocate Program (**Sec. 1405**), Rape Kit Backlog (**Sec. 1406**), and Sexual Assault Forensic Exam Program Grants (**Sec. 1407**).

Appendix D - Social Media Graphics



**Senators, we
need a VAWA
reauthorization
like H.R. 1585
now!**

#VAWA4ALL
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National Task Force to End
Sexual & Domestic Violence

**Hear the voices
of survivors:
VAWA needs
improvements.**



National Task Force to End
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**Survivors need
real change, not
just an extension
of current law.**



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