

Violence Against Women Act:

Women's Leaders Issue Calls to Rein in Over-Criminalization of Domestic Violence

Compiled by the Coalition to End Domestic Violence

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Numerous women's leaders have gone on record calling for a reduction in the over-criminalization of domestic violence, especially its over-reliance on mandatory arrest and prosecution policies. These persons include Department of Justice employees, journalists and writers, law professors, non-profit employees, and university professors.

Department of Justice Employees:

1. "We have no evidence to date that VAWA has led to a decrease in the overall levels of violence against women." -- [Angela Moore Parmley](#), *Office of Justice Programs, U.S. Department of Justice*
2. "The Department of Justice Inspector General reports have consistently found irregularities, misconduct, fraud, and abuse within the Office on Violence Against Women, which was created to administer grant assistance and provide technical expertise on these issues." -- [Andrea G. Bottner](#), *Former Acting Director, U.S. Department of Justice Office on Violence Against Women*

Journalists and Writers:

3. "Many women's advocates have come to question whether VAWA's approach—which relies heavily on law enforcement to reduce the incidence of sexual assault and domestic violence—could be having adverse effects. In the two decades since its passage, VAWA has been criticized by anti-violence campaigners who believe it may fuel mass incarceration but fail to address the root problems of gender violence." -- [Rebecca Burns](#), *Award-winning investigative reporter*
4. "For years, anti-violence activists and organizations, such as Beth Richie and INCITE! , have argued that increased criminalization replaces abuse by an individual with abuse by law enforcement, courts and prisons while doing nothing to address the root causes of violence against women." -- [Victoria Law](#), *Author of Resistance Behind Bars: The Struggles of Incarcerated Women*
5. "As it is currently organized, the criminal justice system doesn't protect the vulnerable in our society. It punishes them. The solution is taking police and criminalization out of the equation--and replacing them with funding for the programs that women need to leave battering situations." -- [Elizabeth Schulte](#), *journalist*

Law Professors:

6. “Feminist efforts to reform rape and domestic violence law have been criticized by some for relying too much on state power and criminal punishment, a particular concern in an era of unprecedented U.S. incarceration and a persistently racially biased criminal punishment system.” -- [Giovanna Shay](#), *Assistant Professor of Law at Western New England College School of Law*
7. “Efforts by feminists and the domestic violence movement to challenge prevailing power hierarchies and improve the condition of women through over-reliance on the criminal justice system have, in fact, contributed to a skewed understanding of domestic violence.” -- [Deborah M. Weissman](#), *Distinguished Research Professor, University of North Carolina School of Law*
8. “Between 2000 and 2010, rates of domestic violence actually fell less than the drop in the overall crime rate – at a time when VAWA was pumping hundreds of millions of dollars into the criminal system.” -- [Leigh Goodmark](#), *Professor, University of Maryland Law School*
9. “I observed government actors systematically ignore women’s desires to stay out of court, express disdain for ambivalent victims, and even infantilize victims to justify mandatory policies while simultaneously prosecuting the victims in other contexts.” – [Aya Gruber](#), *University of Colorado Law School*
10. “One prosecutor recently remarked to me, “We take away women's autonomy.” Autonomy is not merely an important theoretical concept; it has implications for a survivor's safety that are dangerous to disregard.” -- [Jane K. Stoeber](#), *Clinical Professor of Law, University of California, Irvine*
11. “Many women who experience domestic violence do not want the current limited menu of criminal justice responses. We urge Congress, therefore, to consider and support programs that explore alternatives to the current criminal adjudication models, and that address the underlying causes of abuse.” -- [Caroline Bettinger-López](#), *Professor, University of Miami School of Law*
12. “Framing violence against women as a criminal issue rather than, for example, a civil rights, human rights, or public health issue, inevitably narrows the framework for understanding the scope, causes, consequences, and remedies for violence against women.” -- [Donna Coker](#), *Professor, University of Miami School of Law*

Non-Profit Organization Employees:

13. “We have an authority in the Department of Justice who says that there's absolutely no evidence to date that VAWA has led to a decrease in the overall levels of violence against women.” -- [Janice Shaw Crouse](#), *PhD, Senior Fellow, Beverly LaHaye Institute*
14. “Potentially one of the largest shortcomings of VAWA is the lack of any comprehensive evaluation of the legislation. While grant programs such as the STOP grant emphasize some degree of reporting to the OVW, most of the current grant programs do not have any comprehensive assessment requirements.” -- [Tara Aday](#), *Program Director, Safe Haven Ministries*
15. “The impact of violent state intervention in cases of domestic violence is traumatizing, particularly when children are isolated in an unfamiliar place, surrounded by people who don’t speak their native language or don’t come from the traditions of the children that are placed in state care.” -- [Margarita Guzman](#), *Executive Director, Violence Intervention Program, Inc.*

16. “We really believe the best response at this moment in our society is to try to help the next generation have a stronger chance of leading lives free from violence. So that's why we really want to see an investment in prevention.” -- [Terri Poore](#), *Policy Director, National Alliance to End Sexual Violence*
17. “We recommend a shift away from state-based solutions towards community-based solutions. Rather than funneling money and resources into remedies that address violence through criminalization, we ask for better strategies for safety and survival for all communities.” -- [Pooja Gehi](#), *Director of Immigrant Justice, Sylvia Rivera Law Project*

University Professors:

18. “Mandatory arrest policies have been widely criticized, in part because they have led to an increase in dual arrests, or the arrest of both partners during incidents of IPV.” -- [Jill Theresa Messing](#), *Associate Professor, School of Social Work at Arizona State University*
19. “There is limited empirical support for the assumption that mandatory arrest and prosecution policies in domestic violence cases have the intended effect of reducing violence against women.” -- [Linda G. Mills](#), *Professor of Social Work, Public Policy, and Law, New York University*
20. “Men experience the same identical feelings that women experience in violent relationships. Yet our American society has embraced the notion that men can and should ‘take it.’” -- [Christine Grant](#), *University of Pennsylvania, Nursing Education*
21. “Critics of VAWA point to its inclusion in the notorious 1994 crime bill, which included harsh mandatory sentencing guidelines and numerous measures strengthening the prison system, as an indication that it is embedded in a carceral approach.” -- [Nancy Whittier](#), *Smith College Department Chair of Sociology*
22. “Hence, the growing critique of over-reliance on criminalization has been accompanied by a substantial rise not only in the “encourage to arrest” and law enforcement priorities represented by VAWA, but the increasing occupation of the anti-domestic violence field by institutions directed by the criminal justice system.” -- [Mimi E. Kim](#), *Assistant Professor at California State University, Long Beach*