

Human Rights Watch

Indigenous Peoples' Rights

<https://www.hrw.org/news/2013/02/28/us-violence-against-women-act-renewed>

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Lessons From Renewal Process Should Spur Further Reforms

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(Washington, DC) Bipartisan efforts to ensure the safety of all domestic violence victims should continue following the vote in Congress on February 28, 2013, to renew the Violence against Women Act (VAWA), Human Rights Watch said today. The bill includes provisions aimed at improving access to justice and services for victims from a range of backgrounds, and continuing efforts should include advancing protections for immigrant victims of violence during the process of comprehensive immigration reform, Human Rights Watch said.

The bill passed by the House of Representatives addresses gaps in access to justice for victims of violence on Native American reservations. It includes protections against discrimination for lesbian, gay, bisexual, and transgender (LGBT) victims, and modestly expands protections for immigrant victims. Efforts to renew VAWA in the last Congress stalled over differences between the House and the Senate on these issues.

Congress came together today and put partisan politics aside to protect victims of violence, said [Meghan Rhoad](#), womens rights researcher at Human Rights Watch. With continued cooperation, Congress can make further strides to ensure that everyone has access to justice, to services, and to safety.

VAWA is the primary federal law providing legal protection and services to counter domestic abuse, sexual violence, and stalking. Congress has reauthorized VAWA twice since it originally passed in 1994. The Senate passed S. 47, a bipartisan bill to renew VAWA, with 78 votes on February 12. The House approved S. 47 with a vote of 286 to 138. The House took the vote after rejecting another bill that would have watered down protections for victims, Human Rights Watch said.

The bill passed by the House addresses the jurisdictional issues that make it difficult to hold non-Native American men accountable for violence committed against Native American women. The bill would restore Native American tribal courts jurisdiction in such cases if domestic violence and dating violence crimes are committed on tribal lands. Currently, neither state nor tribal authorities have jurisdiction in such cases. The federal government has jurisdiction but often does not make prosecuting misdemeanor domestic violence and dating violence offenses a priority.

The VAWA renewal bill includes anti-discrimination provisions to ensure that LGBT victims of violence have equal access to critical services. Service providers across the country identified LGBT victims as an underserved group.

The bill expands protections for immigrant women by adding stalking to the list of serious crimes covered by the U visa, a temporary visa allowing an immigrant victim of a serious crime to stay in the US to assist law enforcement in investigating and prosecuting the crime. Other improvements to the U visa were included in earlier VAWA proposals, including expanding the number of U visas available. Currently, only 10,000 U visas are available each year.

Senator Patrick Leahy, sponsor of the VAWA bill, indicated that the U visa issue could be taken up when Congress considers proposals for comprehensive immigration reform. Increasing the number of U visas available and clarifying the process for eligibility is necessary to ensure that the visa provides a pathway out of abuse for immigrant victims of violence, Human Rights Watch said.

The comprehensive immigration reform debate will be another opportunity for lawmakers to prioritize the safety of victims of violence, Rhoad said. Among other important steps, the U visa program should be expanded so that immigrant victims of violence are not put back in the position of choosing between deportation and a life of abuse.

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