

VAWA Fact Sheet

S.T.O.P. (Services - Training - Officers - Prosecutors) Violence Against Women Act

Offers federal resources for police, prosecutors, courts, and victim service initiatives in cases involving sexual violence or domestic abuse.

Introduction

The S.T.O.P. Violence Against Women Formula Grants Program (VAWA Program) encourages the development and implementation of effective, victim-centered law enforcement, prosecution, and court strategies to address violent crimes against women and the development and enhancement of victim services in cases involving violent crimes against women. States and communities are encouraged to restructure and strengthen the criminal justice system response to domestic violence, sexual assault, and stalking, drawing on the experience of all participants in the system, including victim advocates.

Passed by Congress as part of the Violent Crime Control and Law Enforcement Act of 1994 and re-authorized in 2000, VAWA authorizes federal financial assistance combined with a broad array of legal reforms.

The VAWA Program promotes a coordinated and integrated approach to improving the criminal justice system's response to violence against women. The approach envisions a partnership among law enforcement, prosecution, the courts, victim advocates, and service providers. The goal of the VAWA Program is to encourage states and localities to restructure and strengthen the criminal justice response to be proactive in addressing violence against women, drawing on the experience of all the participants in the system.

Program Eligibility

Eligibility for the formula grants is limited to the states, territories, and the District of Columbia. To carry out programs and projects specified in the Act, funds granted to qualified states may be further subgranted by the state to agencies and programs including, but not limited to, state offices and agencies; public or private nonprofit organizations; units of local government; Indian tribal

governments; nonprofit, nongovernmental victim services programs; and legal services programs. Federal administration of VAWA funds is conducted by the Violence Against Women Office (VAWO).

States must certify annually that all out-of-pocket costs of forensic medical examinations for victims of sexual assault will be paid by the state, a unit of local government, or another governmental entity.

States also must certify annually that victims of domestic violence are exempt from paying the costs associated with filing criminal charges or issuing or serving a warrant, protection order, or witness subpoena in connection with the prosecution of a felony or misdemeanor domestic violence offense.

Under the re-authorized legislation, each state must allocate at least 25 percent of the VAWA funds it receives to law enforcement, 25 percent to prosecution, 30 percent to nonprofit, non-governmental victim services, and at least 5 percent to courts. The remaining 15 percent may be allocated at the state's discretion, within the parameters of the Act.

Additionally, any federal funds received through this program must be used to supplement, not supplant, non-federal funds that would otherwise be available for activities funded through this program. States are also required to develop an Implementation Plan through deliberative consultation and coordination with a broad range of participants, including private, nonprofit victim service programs and victim advocates.

The Implementation Plan should include an overview of the process used to develop the plan; documentation from participating organizations regarding their involvement in the development and implementation of the plan; major shifts in direction, if any, because of re-evaluation or reassessment of previous efforts; a general explanation of how the funds will be distributed across

law enforcement, prosecution, and victim services categories; and a description of how the success of grant-funded activities will be evaluated.

Illinois' Implementation Plan and subsequent updates were based on public testimony, data, results of surveys of criminal justice and victim service agencies, and the expertise of the Authority's Ad Hoc Committee on Violence Against Women. Illinois continues to review its Implementation Plan and make adjustments based on the objectives set forth in the Statewide Criminal Justice Plan for Illinois, available data and the expertise of the Authority's Ad Hoc Committee on Violence Against Women.

Program Purposes

Grants and subgrants under the VAWA Program must meet one or more of the following purposes:

- training law enforcement officers, judges and other court personnel and prosecutors to more effectively identify and respond to violent crimes against women;
- developing, training, or expanding units of law enforcement officers, judges, other court personnel and prosecutors specifically targeting violent crimes against women;
- developing and implementing more effective police, court and prosecution policies, protocols, orders, and services specifically dedicated to preventing, identifying, and responding to violent crimes against women;
- developing, installing, or expanding data collection and communication systems, including computerized systems that link police, prosecutors, and courts or that are designed to identify and track arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women;
- developing, enlarging, or strengthening victim service programs, including sexual assault, domestic violence and dating violence programs; developing or improving delivery of victim services to underserved populations; providing specialized domestic violence advocates in courts where a significant number of protection orders are granted; and increasing reporting and reducing attrition rates for cases involving violent crimes against women;

- developing, enlarging, or strengthening programs that address stalking;
- developing, enlarging, or strengthening programs that address the needs and circumstances of Indian tribes in dealing with violent crimes against women;
- supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by state funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim services agencies, and other state agencies and departments, to violent crimes against women, including the crimes of sexual assault, domestic violence, and dating violence;
- training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault;
- developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of domestic violence or sexual assault, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victim services to such older and disabled individuals; and
- providing assistance to victims of domestic violence and sexual assault in immigration matters.

The emphasis of the STOP program continues to be on the implementation of comprehensive strategies addressing violence against women that are sensitive to the needs and safety of victims and hold offenders accountable for their crimes.

In shaping their strategies, states are encouraged to develop and support projects to:

1. Implement community-driven initiatives to address the needs of elder victims of domestic violence, sexual assault, and stalking and other underserved populations of women as defined by the Violence Against Women Act of 2000.
2. Address sexual assault through service expansion; development and implementation of protocols; training for judges, other court personnel, prosecutors, and law enforcement; and

development of coordinated community responses to sexual assault.

3. Support safety audits and fatality review teams at the state and local levels to develop and implement more effective police, court, and prosecutor policies, protocols, and orders.
4. Enhance the role of the judiciary and other court personnel in managing offender behavior and securing victim safety through judicial education and court-related projects.

Children's services supported with VAWA funds must show an inextricable link and be the direct result of providing services to a woman. VAWA funds may not be used to support services that focus exclusively on children or to develop sexual assault or domestic violence prevention curricula for schools. VAWA funds also may not be used to assist battered women in obtaining divorces.

The regulations governing the VAWA Program expressly prohibit the use of funding for legal or defense services for perpetrators of violence against women. However, batterers' treatment may be supported through the "undesignated" portion of a state's VAWA grant if such treatment is part of a graduated range of sanctions that use the coercive power of the criminal justice system to hold offenders accountable for their criminal actions and for changing their behavior.

States are not required to use a competitive process to select their VAWA subgrants. The process for awarding subgrants is up to the state administrative agency.

Match Requirements

Subgrants awarded through the VAWA Program may support up to 75 percent of the total cost of each project. Cash or in-kind services may be used as match. A 25 percent non-federal match is required. The state is responsible for ensuring that its subgrantees comply with the 25 percent non-federal match requirement.

Illinois Highlights

The Authority's Ad Hoc Committee on Violence Against Women identified four program priorities in the Implementation Plan for FFY01-FFY05 funding:

- to train law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women,;
- to develop and implement more effective police, court, and prosecution policies, protocols, orders, and services devoted to preventing, identifying, and responding to violent crimes against women;
- to develop, install, or expand data collection and communication systems, including computerized systems linking police, prosecution, and the courts to for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and conviction for violent crimes against women;
- Develop, enlarge, or strengthen victims services programs, including sexual assault, domestic violence, and dating violence programs; develop or improve the delivery of victims services to underserved populations; provide specialized domestic violence court advocates in courts where a significant number of protection orders are granted, and increase reporting and reducing attrition rates for cases involving violent crimes against women.; and
- Train sexual assault forensic medical personnel examiners in the collection and preservation of evidence, and analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault.

A major focus of VAWA funding has been bridging the gaps in service within the criminal justice system. To this end, the Authority designated VAWA funds to implement, test, and evaluate model protocols and guidelines for responding to victims of domestic violence and sexual assault.

The Authority selected eight sites to implement the *Model Domestic Violence Protocol for Law Enforcement, Prosecution, and the Judiciary*. These programs coordinate a collaborative response to victims of domestic violence. These test sites integrate specialized units, enhanced victim services, training and oversight committees into the programs. Additionally, the test sites are constantly developing and improving collaborative relationships with the hope that they can create new approaches that will reduce violence against women.

One site implemented the *Model Guidelines and Sex Crimes Investigations Manual*. This collaborative effort links law enforcement officers, the state's attorney's office, and advocates. The goal is to heighten victim sensitivity and improve evidence collection, first response, victim interviews, and victim referrals.

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Each program has incorporated training sessions into its development to emphasize the spirit of interagency cooperation, while providing participants with the necessary skills to combat domestic violence and sexual assault.

The Authority will consider the experiences, accomplishments, and obstacles encountered by these programs as the new Implementation Plan is developed for Illinois.

For more information regarding Illinois' programs or to obtain a copy of the Protocol/Guidelines, please contact the Authority's VAWA Program Manager.

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