

Title:

The Violence Against Women Act - A Powerful Solution Or Vigilantism

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Summary:

Senator Joseph Biden just announced his bid for the presidency; a candidacy that will no doubt be embraced by the powerful domestic violence lobby. As sponsor of the Violence against Women Act (VAWA), Senator Biden has championed the cause of eradicating domestic violence and aligned himself with a very powerful feminist special interest. For a Democrat in the Senate, championing this cause is a political no-brainer. The question is will he risk the benefits of this political...

Keywords:

Biden, domestic violence, feminist, Democrats, 2007 Campaign, special interest

Article Body:

Senator Joseph Biden just announced his bid for the presidency; a candidacy that will no doubt be embraced by the powerful domestic violence lobby. As sponsor of the Violence against Women Act (VAWA), Senator Biden has championed the cause of eradicating domestic violence and aligned himself with a very powerful feminist special interest. For a Democrat in the Senate, championing this cause is a political no-brainer. The question is will he risk the benefits of this political gravy train to admit this "Emperor" is not wearing clothes.

The domestic violence community is now a billion-dollar industry, creating political fiefdoms of unprecedented power in our local communities. We've come to believe domestic violence is at such epidemic proportions, that in our collective shame we have sanctioned a movement that has become cult-like in its power over our courts.

Every day, in family courts, in every jurisdiction in this county, someone (often a competent parent), becomes the target of a fraudulent domestic violence restraining order. Without the complaining party having to produce a shred of evidence, respondents are routinely put through a process of institutionalized denigration without the same Sixth Amendment protection we give to murders, thieves and pedophiles of our society.

Responding to a TRO is an arduous, humiliating, and expensive task. In the

aftermath, respondents are often separated from their children, suffer from depression, and exhibit symptoms of Post Traumatic Stress Disorder. Many of the falsely accused bear the emotional scars of never being vindicated.

While men appear to be the victims of fraudulent restraining orders more often than women, in increasing numbers it is the male abuser who files for a restraining order against the female victim. In a recent San Francisco case, a woman was served with a Temporary Restraining Order after being thrown down a flight of stairs. Her court-savvy husband filed for a TRO claiming he was "afraid" of her because she had become emotionally unstable.

Family violence is a complex issue. The one-size-fits-all approach does a great disservice to families whose story does not fit the stereotypical model. In cases where violence can be verified and where there is a clear pattern of ongoing, escalating, abuse, then the draconian solutions of the VAWA may be appropriate. For the huge volume of cases that do not fit this model (studies indicate as many as 50 percent), some kind of assessment or evaluation should be done before a family is forced to live in the toxic environment these orders create. Moreover, there must be real consequences to larcenous petitioners and their nefarious attorneys who ride the coat tails of popular politics to exploit these laws for their own advantage.

Capital Hill should sanction the Violence Against Women Act, but with provisions that balance the system -- a system that in some jurisdictions borders on fanatical. Senator Biden, we simply can not remain oblivious to the harm this legislation can cause innocent, gullible adults and children swept up its tide wave.