Statement of Support for the Reauthorization of the Violence Against Women Act
(VAWA Reauthorization)

WHEREAS, the Coalition of Bar Associations of Color (CBAC), organized in 1983, is a coalition created to act as a collective voice for issues of common concern to its member organizations; and

WHEREAS, the member organizations of the Coalition of Bar Associations of Color are the Hispanic National Bar Association, the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA); and

WHEREAS, since the passage of the Violence Against Women Act of 1994 (VAWA), the annual incidence of domestic violence has dropped by more than 50 percent and the rate of non-fatal intimate partner violence against women has decreased 53 percent;¹ and

WHEREAS, despite these improvements, today three women die everyday because of domestic violence and two million women per year suffer injuries because of domestic violence, with young women between the ages of 16-24 suffering from the highest rates of dating violence and sexual assault; and

WHEREAS, Congress determined that reauthorization was necessary in 2000 and again in December 2005, whereupon President George W. Bush signed the most recent version of VAWA into law in January 2006; and

WHEREAS, domestic violence and sexual assault disproportionately affects women of color and in particular, women of Asian descent because of cultural, linguistic, and possible immigration issues and where U Visas for victims of crimes and T Visas for victims of human trafficking could be applicable; and

WHEREAS, U Visas are a law enforcement tool that encourages immigrants to report and help prosecute crime. The U Visa process already has fraud protections. For law enforcement to employ U Visas, law enforcement officers must personally certify that the victim is cooperating with a criminal investigation; and

WHEREAS, according to the Asian & Pacific Islander American Health Forum’s API Institute on Domestic Violence, 41-61% of Asian women report experiencing physical and/or sexual violence by an intimate partner during their lifetime;² and

¹ National Crime Victimization Survey (NCVS), U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. (Decrease is based on data collected between 1993 and 2008).
² The low end of the range is from a study by A. Raj and J. Silverman, Intimate partner violence against South-Asian women in Greater Boston Journal of the American Medical Women’s Association. 2002; 57(2):111-114. The high end
WHEREAS, four out of five perpetrators of domestic or sexual violence on Tribal lands are non-Indian and currently cannot be prosecuted by tribal governments. There is a jurisdictional loophole that is allowing the domestic and sexual violence against Native women to go undeterred and unremedied if perpetrated by non-Natives; and

WHEREAS, the rate of violence in same sex relationships is the same as in the general population, and victims in that community are having difficulty accessing services. A victim is a victim is a victim, and none of them should be excluded or discriminated against; and

WHEREAS, VAWA’s focus has necessarily expanded since its enactment from domestic violence and sexual assault to also include dating violence and stalking, funding services to protect adult and teen victims of these crimes, and supporting training on these issues, in order to ensure consistent responses across the country; and

WHEREAS, VAWA’s success is based on its emphasis on a coordinated community response to domestic violence, dating violence, sexual assault, and stalking, with courts, law enforcement, prosecutors, victim services, and the private bar currently working together in a coordinated effort that did not previously exist on the state and local levels; and, VAWA crucially supports the work of community-based organizations that are engaged in work to end domestic violence, dating violence, sexual assault, and stalking, particularly those groups that provide culturally and linguistically specific services; and

WHEREAS, President Barack Obama’s FY2011 budget request was just $649.36 million for violence against women programs, of which $457.00 million was for programs administered by the Department of Justice (DOJ) and $192.36 million was for programs administered by the Department of Health and Human Services (HHS), a fraction of the total national budget request of $3.834 trillion (of which $3.360 trillion was enacted); and

WHEREAS, in its first six years alone, VAWA saved taxpayers at least $14.8 billion in net averted social costs; and

WHEREAS, reauthorization of VAWA would enhance:

- National efforts to save lives and save money;
- The success of current programs to meet the full range of victims’ needs;
- The ability of judicial, law enforcements and medical systems to provide effective interventions;
- Housing, workplace, and military protections for victims;
- Youth services working in collaboration with schools, college campuses, and other community organizations to protect victims;
- Services for tribal victims;
- Accountability of offenders; and
- Prevention programs to break the cycle of violence.

NOW THEREFORE BE IT RESOLVED that CBAC calls upon Congress to swiftly pass the Senate version of the Violence Against Women Reauthorization Act of 2011.

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BE IT FURTHER RESOLVED that CBAC calls upon the United States Congress to strengthen the Violence Against Women Act by (1) restoring tribal criminal jurisdiction over non-Indian perpetrators of domestic violence, sexual assault, and related crimes that are committed in Indian country; (2) allocating resources to tribes who wish to exercise the aforementioned criminal jurisdiction over non-Indians; and (3) clarifying that every tribe has full civil jurisdiction to issue and enforce protection orders involving any persons, Indian or non-Indian.

BE IT FURTHER RESOLVED that CBAC authorizes the communication of this resolution to members of the House of Representatives, members of the U.S. Senate, the press, and to others CBAC deems appropriate to receive the information.

BE IT FINALLY RESOLVED that this resolution shall be the legislative priority of the CBAC until it is withdrawn or modified by subsequent resolution.
CERTIFICATION

We, the duly elected leadership of the Hispanic National Bar Association, the National Asian Pacific American Bar Association, the National Bar Association, and the National Native American Bar Association, hereby certify that this resolution was duly enacted by the CBAC at its annual meeting on the 16th of May 2012.

Wendy Shiba
President-Elect, National Asian Pacific American Bar Association

Peter M. Reyes, Jr.
President-Elect, Hispanic National Bar Association

Daryl Parks
President, National Bar Association

Patty Ferguson-Bohnee
President, National Native American Bar Association