

**Senate Judiciary Committee Meeting re: VAWA
Reauthorization**

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Chairman Grassley, Ranking Member Feinstein, and members of the Committee—my name is Tracy Prior and I’m a Deputy District Attorney out of San Diego, CA. It is my privilege to speak today on behalf of the National District Attorneys Association, whose membership is made up of elected, appointed and rank and file prosecutors from around the country. The Violence against Women Act is a vital and crucial vehicle for us to bring justice to those who sometimes do not have a voice. These are the many victims who live within their own homes in fear, in terror, and with the pain and injuries due to intimate partner violence.

I’ve been a Domestic Violence Prosecutor for 22 years. I have seen and met survivors in their most broken hour. I’ve had to hold the hand of a grieving mother, as she realizes now she will have to raise her grandchildren because they have been orphaned to Domestic Violence murder. I’ve had the honor to stand in front of juries in courtrooms across my

county to advocate for men and women victims who suffer abuse at the hands of the person that claimed to have loved them.

Career Domestic Violence prosecutors like myself are only able to do this work again and again because of the support we get from our offices and from legislation like VAWA, which provides resources and funding for training, for innovative programs that help us do our jobs smarter, and encourages us to use best practices in our field.

I am from a state that has been empowered with the tools VAWA has given. When I was a young Deputy District Attorney, I was appointed to the position of being the STOP grant DDA. This allowed me to take some time from my caseload to think smarter about how we were doing business in San Diego. I was able to amass a team of judges, members of the defense bar, and other stakeholders to devise a coordinated Domestic Violence Court in our community. The purpose of that court was to achieve consistency and uniformity in the handling of cases, but also to more appropriately hold batterers accountable. Because we had one judge presiding over the entire DV caseload, and specially trained prosecutors handling the cases, we were able to reduce the time it took from the filing

of the case to the end result—which meant defendants got into counseling more quickly, and victims could be safer. It was a STOP grant that allowed us to develop that important program.

We’ve also been the recipient of other VAWA funding that allowed us to develop a family justice center in a region of our county that provided a one-stop shop for victim services. We learned that too often, victims had to traverse our large county, going from place to place, and would literally become tired and overwhelmed. The VAWA grant we received to set up this family justice center enabled the victim to go one place—and there she could meet with the detective, an advocate, apply for a restraining order, and get counseling. All with her children in a friendly playroom safe while she was wrapped around with services and professionals that cared.

VAWA encourages best practices and smarter prosecution. We want all communities, large and small, to be able to continue to take advantage of the resources VAWA has been able to provide for innovative programming designed to best serve survivors.

Some of those programs include:

Domestic Violence Rapid Response Teams: these are teams that dispatch an advocate to the scene, in the middle of the night to assist first responders in linking the victim to resources and helping the victim navigate those crucial 48 hours after the perpetrator is arrested.

Domestic Assault Forensic Exams: VAWA funds could be used to encourage communities to develop forensic exams for serious domestic violence and strangulation cases. These exams can be vital to the health and well-being of victims and also provide better documentation for the best evidence-based prosecution. We've started this in our county and have seen an uptick in felony issuing of strangulation cases that before would have been rejected or only filed as misdemeanors.

Domestic Violence Fatality Review Teams:

One murder is too much. The strong way to react as a community is to look inward as a team and ask the hard question: could we have done anything better, stronger, smarter, as a system, to prevent this murder? VAWA funding could assist counties in

developing multidisciplinary teams that meet after every domestic violence homicide to brainstorm whether there were any system improvements that could be made to prevent violence in the future.

High-Risk Domestic Violence Teams:

This is a team that amasses at the front-end, when there is a high-risk DV situation that needs to be solved “now.” For instance, a victim who has just left their abuser, and is in need of safety planning because the abuser has threatened to kill. High Risk Domestic Violence Teams come together after risk assessment tools indicate that a victim is in particularly high risk of harm, and to provide immediate assistance. These teams are popping up all over the country, but like anything, need resources. VAWA grants could empower a community to formulate a high-risk team that quickly responds and assists our most vulnerable victims.

Trauma-Informed Training: VAWA is excellent in how it recognizes the need for trauma informed training. This is training for all front-line professionals that teaches us that victims don’t necessarily present in the ways we might expect or want. We must meet the victims at the place and time

when they are ready. We must recognize that because victims come from a place of trauma, they might need more time, more care, and more patience.

Education for children and teens: Statistics show that every year, 1.5 million teens will experience violence by a dating partner.

VAWA funding can help us get smarter about how we educate kids. All kids have to take health classes at certain ages. Why not use VAWA monies to develop curriculum for “healthy relationships” and start this as early as elementary school. It could be as simple as kindergartners tracing their hand on a piece of paper—and asking “what are hands for?” They are not for hitting—but rather for high-fives, hugs, and handshakes. Let’s send early and clearly the message of what it means to be healthy in relationship.

Recognizing the connection between homelessness and trauma:

VAWA recognizes the issue of homelessness – and VAWA monies could be used to create funding for a Home resource navigator—that could go to tent cities

in counties and identify victims of trauma and navigate them to resources.

VAWA can literally change the way counties coordinate their response to DV.

The three most important emerging trends in the Domestic Violence field are 1) Family Justice Centers 2) Body Worn Camera use 3) Non-Lethal DV Strangulation education.

Family Justice Centers – Live-Well Centers: Grant funding even for start-up steering committees could jump start some jurisdictions to dreaming big and opening the doors to a one stop shop for victims. One stop shop is the future when it comes to whole-family trauma informed care.

Body Worn Cameras have a unique and direct impact in domestic violence cases because they are the raw video into the violence. Funding could encourage agencies to pilot them. In DV cases, research is starting to grow, showing that BWC can impact issuance/rejection rates and encourage prosecutions even when a victim is uncooperative. I believe BWCs

will reduce the time from issuance to disposition as well. Funding is needed so more reliable, data-driven research can be done.

Non-Lethal Domestic Violence Strangulation:

We've been learning that because strangulation often leaves no visible marks, the need for specialized training to first responders is key. We've developed a strangulation documentation form, along with a protocol for all dispatch, first responders, and follow up investigators and prosecutors. Even asking a simple question – “during the incident did anything go around or against your neck” will help the investigation since many victims don't self-identify this crime. Since the implementation of our strangulation protocol, we've seen an increase in the filing of felony charges for this dangerous form of intimate partner violence. VAWA funds could enable other counties to develop their own similar protocols.

We've come such a long way from the days where patrol officers would respond to a crime scene, see a couple, and just tell them “can one of you just leave for the night?”

We've progressed from the days when we asked a domestic violence victim "do you want me to prosecute your abuser?"

Domestic violence is no longer a private matter to be resolved by the family alone.¹ Rather, it is a social, economic, and public health concern. Nationally, about 31.5% of women and 27.5% of men have experienced physical violence by an intimate partner during their lifetimes. Of these, about 22.3% of women and 14% of men have experienced severe physical violence.² In addition to immediate physical injuries, victims of domestic violence suffer long-term social and psychological harms such as being fearful or concerned for their safety; developing symptoms of posttraumatic stress disorder; missing school; and finding themselves in need of housing, legal services, and medical care.³ About 47.1% of women and 46.5% of men have experienced psychological aggression by an intimate partner during their lifetimes.⁴

The toll is not only felt by the individual victim but by the entire family. Violence committed in front of family members, particularly children, can have

¹ *National District Attorneys Association's Policy Positions on Domestic Violence* (pp. 1-33). (2004). Monterey, CA. Adopted by Board of Directors; *See also* Urban, R.P. (2000). *Nevada Domestic Violence Resource Manual* (pp. 1-399), NV: The Urban Group.

² Centers for Disease Control and Prevention, *Prevalence and Characteristics of Sexual Violence, Stalking, and Intimate Partner Violence Victimization — National Intimate Partner and Sexual Violence Survey, United States, 2011*, 1-18, 63 (SS08) (2014).

³ *Id.*

⁴ *Id.*

physical, developmental, and psychological ramifications on those who witness the violence or try to intervene.⁵ The incidence of child abuse is higher in homes where women are abused by their partners, and these children are at a high risk of becoming victims or abusers as adults.⁶ Recent research has documented high rates of domestic violence perpetration and victimization in the lives of children growing up in domestic violence homes.⁷ In a 2013 study by Sam Houston University, researchers tracked children growing up in domestic violence homes for 20 years. Children from 78.6% of the families became perpetrators by the age of 21.⁸ Children from 75% of the families became victims of domestic violence by the age of 21.⁹

Society as a whole is further impacted by the demand domestic violence generates. The Centers for Disease Control and Prevention (CDC) reports that in 1995, the cost of domestic violence against women exceeded \$5.8 billion.¹⁰ Of this cost, \$4.1 billion were directly attributable to medical and mental healthcare costs with almost \$1.8 billion attributed to the indirect cost

⁵ *National District Attorneys Association Policy Positions on Domestic Violence*, Adopted by the Board of Directors, October 23, 2004 (Monterey, CA);

⁶ *Domestic Violence & the Courtroom Knowing the Issues... Understanding The Victim*, 4 (2012), American Judges Association, <http://aja.ncsc.dni.us/pdfs/domestic-violence-the-courtroom.pdf>

⁷ Kelly E Knight et al., *Generational Cycles of Intimate Partner Violence in the US: A Research Brief* (2013).

⁸ *Id.*

⁹ *Id.*

¹⁰ National Center for Injury Prevention and Control, *Costs of Intimate Partner Violence Against Women in the United States* 32 (2003).

of lost productivity.¹¹ On average, victims lose about eight million days of paid work.¹² When converted to today’s dollars, the cost of intimate partner violence (IPV), rape, physical assault, and stalking is more than \$8.3 billion.¹³

It is important to remain vigilant now more than ever. VAWA is a centerpiece to our ability to protect victims and hold perpetrators accountable. A fully funded VAWA is your opportunity to support victims and support professionals who protect victims.

I’d like to end with a quote:

*Justice is telling the truth about injustice,
repairing the harm as much as humanly possible,
and working to change the conditions that caused the injustice in the first place.*

—Desmond Tutu

VAWA helps prosecutors like me do my best to stop violence, hold batterers accountable, make victims safe, and never let a victim die in vain.

¹¹ *Id.* at 31.

¹² *Id.* at 18.

¹³ Injury Prevention & Control : Division of Violence Prevention, Centers for Disease Control and Prevention (2015), <http://www.cdc.gov/violenceprevention/intimatepartnerviolence/consequences.html>, *citing* Max W, Rice DP, Finkelstein E, Bardwell RA, Leadbetter S. The economic toll of intimate partner violence against women in the United States. *Violence Vict.* 2004;19(3):259–72.