



Federal Informational Series

Violence Against Women Act

An Overview of the VAWA and its Reauthorization in the FY22 Omnibus Bill

March 16, 2022

Michael Tinsley

NAPE President

NAPE Public Policy Chair

Background information on the Violence Against Women Act (VAWA)

VAWA's purpose:

"To prevent violent crime; respond to the needs of crime victims; learn more about crime; and change public attitudes through a collaborative effort by the criminal justice system, social service agencies, research organizations, schools, public health organizations, and private organizations." VAWA covers domestic violence, sexual assault, dating violence, and stalking.

Domestic violence

- Under VAWA, domestic violence includes intimate partner violence committed by spouses, ex-spouses, boyfriends, girlfriends, ex-boyfriends, or ex-girlfriends
- Crimes include felony or misdemeanor sexual assault, simple or aggravated assault, homicide, and others

Sexual assault

- Sexual assault is defined by the Act as *"any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent"*
- The FBI altered the definition of rape to include language for **male** and **female** victims and include instances in which the victim is not able to give consent because of mental or physical incapacity

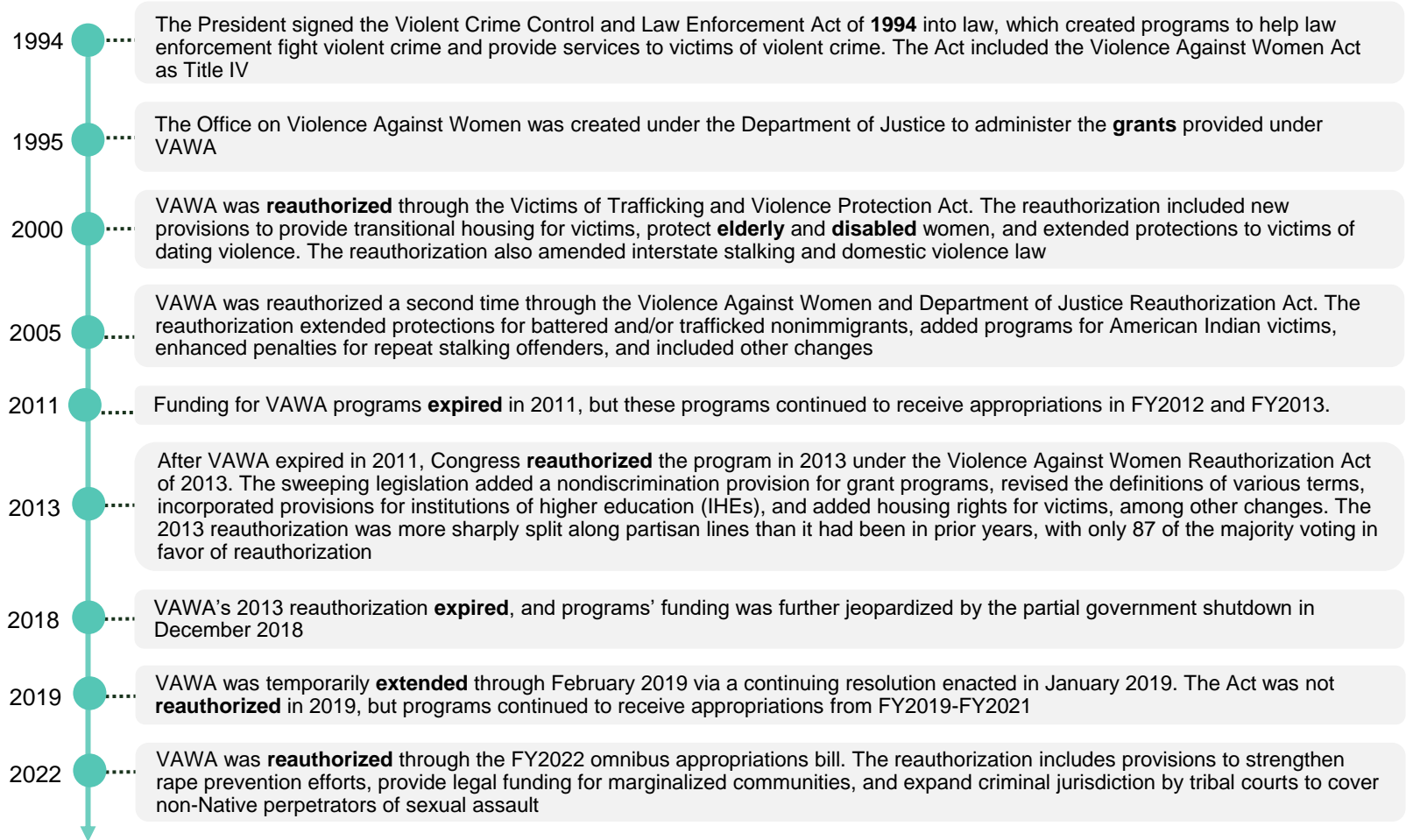
Dating violence

- Dating violence is any instances of violence committed by a person who is or was in a **social** or **intimate** relationship with the victim
- The relationship is determined based on the **length** of the relationship, the **type** of the relationship, and the **frequency** of interactions between the people in the relationship

Stalking

- Under VAWA, stalking includes intimate partner violence committed by spouses, ex-spouses, boyfriends, girlfriends, ex-boyfriends, or ex-girlfriends
- Crimes include felony or misdemeanor stalking, sexual assault, simple or aggravated assault, homicide, and others

VAWA was first signed into law in 1994 and has been reauthorized four times



SOURCE Congressional Research Service, NPR, Washington Post, Vox, Office of Sen. Capito

Slide Updated by Michael Tinsley on 3/16/22

On March 15, the Violence Against Women Act was renewed as part of the FY22 omnibus bill

Background

- The Violence Against Women Act (VAWA) was originally signed into law in **1994**; VAWA was last reauthorized in 2013 and lapsed in December 2018, though Congress continues to fund related programs
- The bill addresses **domestic violence, sexual assault, dating violence, and stalking**
- Included in the new authorization is \$500 million in grants towards law enforcement, housing authorities and more

Outlook

- After passing the House in 2021, VAWA stalled in the Senate over a provision that would have prohibited convicted abusers from possessing firearms
- Congressional negotiators removed the so-called '*boyfriend loophole*' and introduced a new Senate bill in 2022, which was incorporated in the FY22 omnibus appropriations bill

New provisions



Allows for **tribal jurisdiction** over non-Native perpetrators of sexual violence on tribal lands



Requires the FBI to notify local law enforcement in the case of **failed background checks** for gun purchases



Reauthorizes **funding** for violence reduction and prevention programs



Expands access to **safe housing** for victims

Status

S. 3623

Introduced: Senate
2/9/22

Received: House

Added to
FY22 bill
3/9/22

Passed: Senate
3/10/22

Passed: House
3/9/22

Signed by
President
3/15/22

Congress appropriated \$575 million in FY22 for the Violence Against Women Act

Breakdown of funding for the Violence Against Women Act

IN MILLIONS





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