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LEADING THE FIGHT: THE VIOLENCE AGAINST WOMEN OFFICE

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BEFORE THE

SUBCOMMITTEE ON CRIME AND DRUGS

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LEADING THE FIGHT: THE VIOLENCE AGAINST WOMEN OFFICE

TUESDAY, APRIL 16, 2002

U.S. SENATE,
SUBCOMMITTEE ON CRIME AND DRUGS,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:55 a.m., in room SD–226, Dirksen Senate Office Building, Hon. Joseph Biden (chairman of the subcommittee) presiding.

Present: Senators Biden, Grassley, Specter, and Cleland.

STATEMENT OF HON. JOSEPH R. BIDEN, JR., A U.S. SENATOR FROM THE STATE OF DELAWARE

Chairman BIDEN. The hearing will come to order.

I apologize for starting almost 45 minutes late, but those of you who fly regularly know that occasionally they cancel planes when you are sitting in the airport waiting. They seldom do that on Amtrak. But as Judge Poppiti, who probably came down on Amtrak today or last night can tell you, today they canceled the train I was on to get me here on time.

And so I am sincerely sorry, and in no way want to suggest that we shouldn't continue to fund Amtrak. [Laughter.]

But let me begin as rapidly as I can here.

I want to be straight up with you all. I have called this hearing this morning, quite frankly, to check in with the Violence Against Women Office and to take stock of where we are going in the fight to end violence against women.

All of us in the United States Senate and who hold congressional seats always say, "I have no pride of authorship in this piece of legislation." I have a hell of a lot of pride of authorship in this legislation. It is the single most significant thing I have ever been involved in, in my life, and the thing of which I am most proud.

I remember when we passed the bill, and Janet Reno was the Attorney General. She came up to see us and to thank us for doing it and said how she would take over. And I indicated, which is maybe not appropriate, that, no, I planned on being deeply involved on how it was administered as well, even though that is not my bailiwick, except through oversight.

And so I want to hear from the Violence Against Women Office Director and the administration about their vision of the priorities for this office. I want to make sure that they are, as I believe they are, committed to the spirit—I know they are committed to the

spirit of the law—and the letter of the Violence Against Women Act.

I would like to hear from prosecutors and judges about the progress they have made and what kind of help and leadership they have received from the Violence Against Women Office. Today we are going to hear from the top law enforcement officer in Georgia, the attorney general, about his State's collaboration with the Violence Against Women Office.

And finally, I want to hear from those who are the most important people in the whole process: those providing direct services, the day-to-day lifelines for the millions of women out there who are desperately in need of help and hope.

And the question is, what do they need from the Violence Against Women Act? How can the Violence Against Women Act best lead in this fight?

Since we passed that act in 1994 and created the Violence Against Women Office, it has awarded over $1 billion in grants to state and local entities to fight domestic violence and sexual assault.

When the Violence Against Women Act passed, domestic violence became for the first time in the history of America a federal crime. Under the act, applications from more than 12,000 battered immigrant women escaping abuse and establishing their own residency here have been made to Immigration.

Since its passage, there has been a 41 percent decrease in the rate of intimate partner victimization of women. That is the chart that is up there right now.

Since then, we have also seen a similar drop in the rates of criminal rape and sexual assault during the same time frame, almost a 43 percent decrease.

Federal dollars, federal leadership, federal commitment, and, most importantly, federal-state collaboration are making a real difference in the lives of women in America. And this is not the time to scale back our efforts.

As I said about the crime bill generally, crime is like cutting grass. You cut it on Saturday; it looks beautiful. If you conclude that you have done a great job and you can walk away, I assure you, by the following Saturday, the weeds and grass are back, and 3 weeks later, you have a morass in your front lawn. That is what crime is like.

We are going through a period here where people think we have done so well, and we have, over the last 8 years in the decrease of violent crime and crime against women, that people are saying, "Well, we do not"—I am not suggesting the office is saying that. But nationally and in the debate in the administration, eliminating the COPS program, and people here talking about how we should have different priorities, they are missing the point, I think.

We should not be spending less money. We should be spending more money—more money. This is not something that you do and you fix. This is something every week you have to cut the grass.

And that is why I am concerned by reports that the Violence Against Women Office is reconfiguring and eliminating its public policy division.

When I drafted that act, I envisioned a two-prong attack: one with new federal laws and policies on one side, and the other, a grant program, was on the other side. Both sides are necessary, each side, in my view, inseparable from the other. They work hand in hand.

The act's grant programs are just as valuable as the act's public policy mandates.

I am not aware of any other office at the Justice Department, in my 29 years of being on this committee, which requires the same broad, multidisciplinary, coordinated response as required by the Violence Against Women Office.

The grants to encourage arrest, for example, operate simultaneously with public policy efforts to ensure interstate enforcement of restraining orders. Grants for civil legal assistance work hand in hand with public policy efforts to educate localities about the new legal rights of battered women.

For example, at the front end of this process, when the act came into being under the last administration, I went down and, whether I convinced them or not, they became convinced that there was a need to educate federal prosecutors with this act. They did not understand how it worked. They did not know. Very few cases were being taken. That was the public policy part.

It had nothing to do with grants—zero, nothing, nothing to do with grants. No one in the grants office had any expertise as to how to train federal prosecutors how to focus on, recognize, and pursue the violators of this act.

I am convinced that had the office only handed out grants, and not served its critical role as both a bully pulpit and a policy coordinator, the success of the Violence Against Women Act would not have been anywhere near as drastic as it has been. I am confident that had the bully pulpit part not been available, many American corporations would not have made the changes they made, in order to accommodate and help women in the workplace who were victims of domestic violence.

Domestic violence and sexual assault and stalking are complicated issues, and they require discrete areas of expertise. This is not an area for generalists or for grant administrators alone, who I have great admiration for.

There are those who specialize in law enforcement and judicial training, or in the intersection of child services and domestic violence. I have found very few who have compatible expertise. I have found very few who have an expertise in both those disciplines, or in the full faith and credit enforcement of protective orders.

We need diverse and deep expertise in the public policy division of the Violence Against Women Office. And I have doubts that we can ask grant program administrators to become general experts as well.

Do not misunderstand me; I support the efforts to increase the efficiency of the Violence Against Women Office to provide better support for the grantees. I think the present Director is absolutely correct. I am sure that she has heard from her employees, saying, "Hey, look, I have a real problem."

Well, the first year of the act, we had something like 54 applications. Now we are up into the thousands. Of course you need sig-

nificantly more help. The way to deal with that is to give you a bigger budget, in my view.

But at any rate, I agree with getting the most for our dollars. But I should add here that, by all accounts, the Violence Against Women Act is a bargain. Its fiscal year 2002 operating costs were $5.5 million. A recent report out of the University of North Carolina determined that the act saved American taxpayers $14.6 billion in estimated costs associated with violence against women.

I support, as I said, the efforts by the Director to help her overworked staff with innovative ideas. I am not here to have some academic debate about different business models. I am here because I am concerned the efforts to diminish the profile and the role of the Violence Against Women Office may have—and I may be wrong—may have negative, long-term effects on our Government's ability to address violence against women.

And the fact is that there is a lot more work to be done. Sadly, we have not solved our problem. A report released this summer found that one in five teenage girls in America becomes a victim of physical or sexual abuse during a dating relationship. We know one out of three women killed each year is still killed by an intimate partner.

A strong, independent Violence Against Women Office should lead the fight with a voice that has credibility, a very high profile, and an ear to the Attorney General himself, not just to cut checks.

This is not what we need. It is not what I intended or we intended when the act was passed.

A Director who has been nominated by the President and confirmed by the Senate has both the credibility and the bully pulpit to travel this country and get local people to the table.

I might add, as the author of the drug director's office, I found the same debate and the same argument. This is equally as consequential, in my view.

As a former Director of the Violence Against Women Office, Bonnie Campbell, recently told House Members: There is a world of difference between full participation at the highest levels of discussion of the decisions being made and being buried in a satellite grant office in the department.

To meet this mandate to be effective, the Violence Against Women Act should not, must not, and cannot be buried within the grant-making bureaucracy.

In my mind, the Violence Against Women Act is a solemn promise that we made to the women of America. It is something that we all take very seriously, including the Director. The Violence Against Women Office is charged with keeping that promise. I want to make absolutely certain that the office is equipped to do that with dedication, both to grant making and public policy, and full funding for programs, and with a profile and credibility that it deserves.

So today I would like to talk about the office's mission, how it is helped, what it would be without a dedicated public policy division, and why should it be independent if, as I believe, it should be.

I now turn to Senator Grassley, with both my apologies for delaying this, because they canceled my train, like they occasionally can-

cel your planes—actually, they often cancel your planes, our planes—and for any opening comments he may wish to make.

STATEMENT OF HON. CHARLES E. GRASSLEY, A U.S. SENATOR FROM THE STATE OF IOWA

Senator GRASSLEY. Well, actually, your lateness was a convenience for me, because I had some things scheduled at 10:15 and 10:30.

Chairman BIDEN. Well, I am delighted it worked.

Senator GRASSLEY. I would have been late anyway.

Well, first of all, thank you very much for this meeting on the Violence Against Women Act and the office that administers it.

The creation of this office helped communities address violence against women by advancing coordinated community responses to the problem. And because this office's work involves local communities, I thought it was important to hear from someone who was in the trenches fighting against domestic violence on a daily basis, so I asked Casey Gwinn, San Diego City Attorney, to testify.

It is a pleasure to have him here with us, and I look forward to hearing his thoughts on how we can best combat the problem of domestic violence and other forms of violence against women.

Although I have been a longtime supporter of the Violence Against Women Act, I have expressed in the past and will again now some concerns that I have about the office, whether or not it is conducting proper oversight of the grants they award. Senator Biden has heard me say that about other agencies of government as well, so it is kind of characteristic, my bringing up congressional oversight as well as administrative oversight of how the taxpayers' money is spent.

Let me restate: Reducing violence against women is not a partisan issue, and good government is not either.

Because the issue of violence against women is so important, we need to make sure that we maximize the tax dollars' use. We want the best programs to succeed, and we need to get the most out of our tax dollars.

I feel this way about the Violence Against Women Act grants as well as other federal grants.

This hearing is timely since we had, 6 months ago, the General Accounting Office releasing two reports. I am so glad to see that we have Ms. Laurie Ekstrand here to help us today and testify about these two reports and to give recommendations.

In November, the General Accounting Office reported that the office is not conducting proper documentation of its monitoring activities. And I know we are going to go into these, so I am not going to go through the lengthy comments I have on those. And I think I will put the rest of my statement in the record, Mr. Chairman, so we can get through this meeting, considering the lateness.

Chairman BIDEN. Without objection, the entire statement will be placed in the record.

[The prepared statement of Senator Grassley follows:]

STATEMENT OF SENATOR CHARLES GRASSLEY

Mr. Chairman, thank you for holding this hearing on the Justice Department's Violence Against Women Office. In 1994, I was glad to be able to stand with you in bipartisan support for the Violence Against Women Act, which created this Office.

Today, I'm glad to again stand with you as we look at how the Office operates and what impact the Office is having on domestic violence, sexual assault, and stalking crimes.

Since its creation, the Office has helped communities address violence against women issues by advancing coordinated community responses to this problem. Because the Office's work involves the local communities, I thought it was important to hear from someone who is in the trenches fighting against domestic violence on a daily basis, so I asked Casey Gwinn, the San Diego City Attorney to testify today. Mr. Gwinn, it is a pleasure to have you here and we look forward to hearing your thoughts on how we can best combat the problem of domestic violence and other forms of violence against women.

Although I've been a longtime supporter of the Violence Against Women Act, I have grave concerns that the Office isn't conducting proper oversight of the grants they award. Again, let me restate, reducing violence against women isn't a partisan issue and good government shouldn't be either. Because the issue of violence against women is so important, we need to make sure we are maximizing the tax dollars we spend addressing it. We want the best program to succeed and we need to get the most out of our tax dollars. I feel this way about VAWA grants, as well as every other federal government grant.

This hearing is timely, since just within the last six months, the Government Accounting Office (GAO) has released two reports detailing the accountability problems that exist at the Violence Against Women Office. I'm glad to see that we have Ms. Laurie Ekstrand with us today to testify about these two reports and to give us recommendations on how the Violence Against Women Office can improve its grant monitoring and evaluating.

In November, the GAO reported that the Office isn't properly documenting its monitoring activities. In fact, the GAO found that eleven percent of VAWO awards didn't even contain monitoring plans. They also found that a substantial number of VAWO grants didn't contain all the progress and financial reports required, and that these reports were often turned in late. The GAO report states that because of these failures to document monitoring activities, the Office isn't "positioned to systematically oversee grant manager's compliance with monitoring requirements." They concluded that this "lack of systematic data for monitoring grant manager compliance, combined with a failure to document monitoring activities could impede . . . VAWO's ability to measure their performance."

Just last month, the GAO issued another report on the problems that exist in the Office's evaluations of the grants they award. They found that the three evaluations they looked at had "methodological problems that raise[d] concerns about whether the evaluations will produce effective results." The report also found that the impact evaluations were not representative of VAWO's programs and thus limited the evaluator's ability to generalize the results. Furthermore, the report found data collection and analytical problems that "compromise[d] the evaluator's ability to draw appropriate conclusions from the results." As I said before, to get the greatest return for the tax dollars we are spending addressing violence against women, we need to know if the programs we are investing in are working.

Some have suggested that the Violence Against Women Office be set up as a separate and independent office. But, because of the GAO findings, I'm not convinced that giving the Violence Against Women Office (VAWO) independence from the Office of Justice Programs (OJP) is a good idea. It doesn't seem prudent to me to create an entire new bureaucracy to administer VAWA grants and other programs. Why should we expect that as an independent office, VAWO would create an accountability infrastructure when the Office hasn't complied with the accountability measures already existing at the Office of Justice Programs? Furthermore, by creating an independent office, I think that our tax dollars would be diverted from the VAWO mission, so that the administrative work that OJP is currently doing for the Office could be replicated. This strikes me as wasteful and inefficient spending.

I think we all want the Violence Against Women Office to succeed in its goal of stopping domestic violence. And I'm sure everyone here wants to make sure that VAWO is doing everything it can do to support the best programs to protect women. I look forward to hearing from Ms. Stuart on how the Office has responded to the recent GAO reports. I'm also looking forward to hearing about her vision for the future of the Office. So I want to thank my friend Chairman Biden for holding this important hearing and for his leadership on this issue.

Chairman BIDEN. I am going to ask forbearance for another few minutes from the Director.

Senator Cleland is here to introduce the attorney general of Georgia, although we are not going to start with the attorney general of Georgia. I know his schedule is extremely busy, and with the permission of the rest of the witnesses, I am going to yield to Senator Cleland to introduce the attorney general, who will be on the second panel.

We got started, Max, 45 minutes late, because one of my trains was canceled, and I just got here.

So we appreciate your interest and your commitment, and the floor is yours.

STATEMENT OF THE HON. MAX CLELAND, A U.S. SENATOR FROM THE STATE OF GEORGIA

Senator CLELAND. Thank you very much, Mr. Chairman.

May I just say that it is a pleasure to be here today to introduce my good friend, Georgia Attorney General Thurbert Baker, who is here to discuss measures that are being taken to prevent and combat violence against women.

Attorney General Baker is also the chairman of the Violence Against Women Committee of the National Association of Attorneys General. And thanks to him and the efforts of the committee, state officials across the country are now able to share information and develop strategies that states can use to address domestic violence.

I am a strong supporter of the Violence Against Women Act, legislation established to aid law enforcement officers and prosecutors, encourage arrest policies, stem domestic violence and child abuse, establish and operate training programs for victim advocates and counselors, and train probation and parole officers who work with released sex offenders.

I am grateful to all of you here on the committee, who have been very supportive of this legislation and added new programs to the Violence Against Women Act through 2005.

In Georgia, Mr. Chairman, 62,736 crisis calls were made to domestic violence shelters in 2001, which is an incredible number. It was an increase from the 50,000 calls made in 1998. Georgia-certified family violence programs provided shelter for almost 4,000 adults and almost 4,000 children for a total of almost 175,000 shelter nights in 2001.

Unfortunately, these statistics prove that there is still a lot to do to stop violence against women and children. But Attorney General Baker and the State of Georgia have responded to the challenge.

Georgia has established a domestic violence assessor in all county offices of the Department of Family and Children Services, and the State is creating a computerized registry of all temporary restraining orders, which is largely due to Attorney General Baker's efforts.

Appointed by the president of the National Association of Attorneys General, Kansas Attorney General Carla Stovall, Attorney General Thurbert Baker has a special concern for victims of domestic violence, and I am pleased that he is here today to share his knowledge and experience with us.

Thank you very much, Mr. Chairman.

Chairman BIDEN. Thank you, Senator. And thank you for your strong support for this legislation.

We are anxious to hear from the attorney general. As you point out, he chairs the committee for all the attorneys general. So thank you for coming here.

Now, we have two panels of esteemed witnesses with us this morning, and I thank them for coming.

And I would like to introduce, briefly, our first witness, Ms. Diane Stuart.

President Bush appointed Diane Stuart to be Director of the Justice Department Violence Against Women Office in October of last year. And, I might add, his appointment was met with strong support, including from this Senator.

Prior to assuming that office, she served as the state coordinator for the Utah Domestic Violence Cabinet Council and director of the Battered Women's Shelter and Rape Crisis Center in Logan, Utah.

Among other advisory positions, Ms. Stuart served on the Women's Advisory Council for Senator Hatch. She received her bachelor's degree from the University of Pittsburgh—and I wanted to ask her about that, because that is Senator Hatch's hometown—and her master's degree in family and human development from Utah State University.

I welcome you, Director, and, again, I apologize for having kept you waiting. I know you are incredibly busy.

The floor is yours.

STATEMENT OF DIANE STUART, DIRECTOR, VIOLENCE AGAINST WOMEN OFFICE, OFFICE OF JUSTICE PROGRAMS, U.S. DEPARTMENT OF JUSTICE, WASHINGTON, DC

Ms. STUART. Thank you very much, Mr. Chairman.

Chairman BIDEN. Thank you for coming to Delaware, by the way.

Ms. STUART. You are welcome. It was sincerely my pleasure. It was absolutely wonderful. What a wonderful place to visit and a wonderful group of people to work with. I am particularly grateful to Claire DeMatteis and her help there. It was just great to be there.

Mr. Chairman, Senator Grassley, and members of the subcommittee, thank you, sincerely, thank you for holding this important hearing today.

First, let me say that Deborah Daniels sends her apologies for not being able to be here. Her father was ill, and so she cannot be here.

Chairman BIDEN. I am sorry to hear that. I understand.

Ms. STUART. And before I begin, I would like to especially acknowledge and personally thank you, Senator Biden, for your unwavering support for violence against women issues and your leadership on the development of the Violence Against Women Act.

It is strong congressional attention, as you have said, to this issue that has enabled this country to accomplish unparalleled levels of change and innovation in the areas of domestic violence, sexual assault, and stalking. Thank you, sir, from the bottom of my heart, so very, very much. And I think I speak for many, many women across the country, victims of domestic violence as well as those that are working in the area.

Chairman BIDEN. Thank you.

Ms. STUART. As you have said, my name is Diane Stuart, and I want you to know how proud I am to be currently serving as the Director of the Violence Against Women Office. VAWO, as it is affectionately referred to, currently administers 11 grant programs today, provides related training, and oversees a wide range of technical assistance.

In addition to the grants management, the VAWO staff serve as expert resources on violence against women in many ways for the Department of Justice and for other federal agencies. Our mission is to provide federal leadership in developing the Nation's capacity to reduce violence against women, and to administer justice and strengthen services for victims of domestic violence, sexual assault, and stalking.

In other words, I think our mission is exactly what Congress intended when it passed Violence Against Women Act and Violence Against Women Act of 2000.

As you have said, there is a growing debate on just where the Violence Against Women Office should be located, and this hearing is appropriately about that discussion, and I am grateful for it.

May I clearly tell you that the Violence Against Women Office, I believe, should remain within the Office of Justice Programs in the Department of Justice.

I strongly believe that it is not where the office is located but whether we have the structure, the resources, and the support necessary to help us achieve our goal, ultimately, to end violence against women.

As you have said, the Violence Against Women Office now has a budget of almost $400 million and manages more than 1,200 active grants. So it is really critical to have the right resources to keep our operations running smoothly and efficiently.

Fortunately, due to the strong OJP, Office of Justice Programs, infrastructure, we are able to do just that. We rely heavily on the expertise of OJP's support offices, such as the Office of the Comptroller for financial management, the Office of Budget and Management Services for budget analysis, the Office of General Counsel for advice, counsel, and support in carrying out our legislative mandates.

Let me also explain it this way: The Violence Against Women Office currently has 43 employees. But, as part of OJP, we have direct support of nearly 300 staff employees.

Policy, as you have said, is the common thread woven into absolutely everything that we do: through our solicitation development, through our grant management, through the administration of technical assistance, and through communication to the field. Much of this work requires close collaboration with other Office of Justice Programs bureaus and other federal agencies, such as the Department of Health and Human Services and the Department of Defense, to help design programs and policies that support violence against women issues.

For example, we are currently working closely with the Office for Victims of Crime on the development of trafficking-in-persons solicitation. We also work closely with the National Institute of Justice

on developing sound and reliable ways to measure the effectiveness of the Violence Against Women Act programs.

Briefly, the point I am trying to make is, although there are numerous bureaus and offices within OJP, in practice, we operate as one entity because of the benefits we reap from working together.

Our office has made amazing, just amazing, progress since the Violence Against Women Act passage in 1994. Where there were only a handful of experts on violence against women, there are now hundreds of professionals from all areas of the criminal justice system who can educate and train others. Some of the most important work we do today is to link these new expert resources across the country with the projects in need of guidance.

We could also think of our office as an hourglass, if you will: information in and information out. I really believe that we provide that resource to the communities.

I have come to value the various tools that we use to carry out our mission and stay closely connected with the field. These tools include, of course, our grant programs; the National Advisory Council on Violence Against Women, which I had the honor to serve on for 6 years; our expansive, diverse, and extremely qualified technical assistance initiatives. I was totally amazed at the depth and breadth of our technical assistance initiatives when I came to the office. And also, we rely on the invigorating, exciting, and continual interaction with our grantees and experts from across the Nation.

It is this day-to-day interaction and close collaboration between our office and those working in research, policy, and practical that is critical.

Their ideas, suggestions, and criticisms keep us on the right path, keep us current on what is happening in our communities, and offer us a fresh perspective on issues we grapple with every single day.

We have many ambitious priorities for the coming year. Program sustainability and building capacity and measuring program effectiveness are at the top of my list.

We now require all of our grantees to tell us how they plan to keep their programs operating and even thriving without the benefit of federal funding.

Partnering with all of OJP, we are developing ways to improve our ability to measure program effectiveness. We want to know: Do they work? Are they producing outcomes that they were originally intended to produce? What is the impact of the Violence Against Women Act on communities? And are we really, are we really, making a difference?

My commitment, the commitment of the Violence Against Women Office, the Office of Justice Programs, and the Department of Justice, is to ensure that the goals of the Violence Against Women Act are fulfilled.

The Violence Against Women Office of today is much more than a check-writing entity. Through all of our activities—through all of our activities—we are guiding the policies that Congress set forward. As we administer and manage millions of dollars of grants that reach thousands of communities, we are ensuring that we are

effectively changing the culture surrounding violence against women.

It is only when this society truly understands the incredibly debilitating and horrendous consequences of domestic violence, sexual assault, and stalking that we have a real chance to end violence against women.

Keeping the Violence Against Women Office within the Office of Justice Programs will allow us to concentrate on developing the programs and policies to address these violent crimes, while being able to rely on the established, effective OJP infrastructure.

The collaborative nature of our work requires that we reach out beyond the confines of our office to the offices, organizations, and individuals who work with us every day to keep women safe and hold offenders accountable.

We look forward to continuing this important work until the day comes when there will no longer be a need for a Violence Against Women Office.

And I thank you, Senator. And I am happy to take any questions.

[The prepared statements of Ms. Stuart and Ms. Daniel's follows:]

STATEMENT OF DIANE STUART

Mr. Chairman, Senator Grassley, and Members of the Subcommittee: Thank you for holding this important hearing today. In particular, Senator Biden, I want to thank you for your strong leadership, your unwavering support and your commitment on violence against women issues. Your work, and the dedication of other Members of this committee, including Senator Hatch, have been instrumental in accomplishing unparalleled change and innovation in the areas of domestic violence, sexual assault, and stalking.

I am Diane Stuart, Director of the Violence Against Women Office (VAWO), which currently administers 11 grant programs, provides related training, and a wide range of technical assistance. In addition to grants management, VAWO staff serve as expert resources on violence against women for the Office of Justice Programs, the Department of Justice, and other federal agencies.

Our mission is to provide federal leadership in developing the nation's capacity to:

- Reduce violence against women.
- Administer justice for victims of domestic violence, sexual assault, and stalking.
- Strengthen services to all victims of domestic violence, sexual assault, and stalking.

In other words, our mission is exactly what Congress intended when it passed VAWA and VAWA 2000.

Currently, there is a growing debate on just where the Violence Against Women Office should be located. Some people think that it should become an independent entity within the Department of Justice. Others think it is more effective to keep it within OJP. I am here to tell you that the Violence Against Women Office should remain within OJP. It is not where the office is located that deserves our attention, it is whether we have the structure, resources, and support necessary to help us achieve our goal: to end violence against women. Let me tell you why.

The Violence Against Women Office currently has a budget of almost $400 million and manages more than 1,200 active grants. As you can imagine, it is critical to have the right resources in place to keep our operations running smoothly and efficiently. And fortunately, due to the strong OJP infrastructure, we are able to do just that. We rely heavily on the expertise of OJP's support offices, such as the Office of the Comptroller for financial management, the Office of Budget and Management Services for budget analysis, the Office of Congressional and Public Affairs for grant notifications, and the Office of General Counsel for advice, counsel, and support in carrying out our legislative mandates. Without the benefit of this infrastructure, we would lose the seamless communication and collaboration that we currently enjoy. Let me also explain it this way: the Violence Against Women Office currently has 43 employees. By being part of OJP, we essentially increase our person-power expo-

nentially. As an office that manages an extraordinary number of discretionary grants (as opposed to formula grants), which adds to the complexity of our operation, we consider this support to be a true benefit of remaining within OJP.

Much of the work conducted by our office is what may be considered "policy" work. I have recently renamed that unit in our office, "the Communication and Analysis Unit," which I think more accurately describes the work we do there. "Policy" is the common thread that is woven into everything that we do: solicitation development; grant management; the administration of technical assistance; and communication to the field. Much of this work requires close collaboration with OJP and other federal agencies, such as the Department of Health and Human Services, the Department of Labor, the Department of State, and the Department of Defense to develop and enhance programs and policies on violence against women. For example, we are currently working with our OJP partner, the Office for Victims of Crime (OVC), on the development of OVC's trafficking-in-persons solicitation, a project that requires frequent contact and consultation between our two offices. We also work closely with the National Institute of Justice on developing sound and reliable ways to measure the effectiveness of VAWA programs. At the same time, NIJ depends on us to provide expert feedback on their violence against women research initiatives. We are currently working with the Office of Juvenile Justice and Delinquency Prevention on the OJP reentry initiative, to help determine the role that violence against women issues play in the return of offenders to the community after incarceration. We will also work with the Bureau of Justice Assistance (BJA) with managing some BJA grants involving development of domestic violence programs. VAWO also collaborates with other OJP offices and bureaus to coordinate the grant application peer review process and to implement the President's faith-based initiative. The point I am trying to make is that, although there are numerous bureaus and offices within OJP, in practice, we operate as one entity because of the benefits we reap from working together.

The Violence Against Women Act established coordinated, community responses to domestic violence, sexual assault, and stalking crimes. Based on the results we are seeing in the field, there is no doubt that a coordinated community response is the best approach for achieving lasting and effective results. Strong partnerships and vigorous coordination must be present at the federal, state, local and tribal levels in order for real change to occur. We also believe this is true for the Violence Against Women Office and OJP. OJP's primary goal is to provide the tools to enhance communities' ability to respond to local crime problems. Therefore, it makes perfect sense for the Violence Against Women Office to continue working under the auspices of OJP where the complementary nature of our missions and goals can be further enhanced and promoted.

The Violence Against Women Office has made amazing progress since the passage of the Violence Against Women Act in 1994. Where at one time there were only a handful of experts on violence against women, there are now hundreds of professionals from all areas of the criminal justice system who have the expertise to educate and train law enforcement, prosecutors, judges, advocates and others in the field on how to respond to domestic violence, sexual assault, and stalking. VAWO staff are no longer the only experts, instead, we are increasingly able to link other expert resources with projects in need of guidance. Groups such as the Battered Women's Justice Project, Praxis International, and the National Training Center on Domestic and Sexual Violence provide the hands-on training to states and localities that need assistance to get new programs off the ground. Organizations such as the International Association of Chiefs of Police, the American Probation and Parole Association, and the National District Attorneys' Association have created initiatives to help their members develop specialized knowledge on topics such as police response to domestic violence, batterer intervention, and the creation of domestic violence courts. The Violence Against Women Office serves as the national vehicle for coordinating these pivotal resources and offering guidance and consultation on promising practices.

We use various "tools" to carry out our mission and stay closely connected with the field. These tools include our grant programs, the National Advisory Committee on Violence Against Women, our technical assistance initiatives, and frequent interaction with our grantees and myriad experts across our nation. I'd like to explain each of these tools in greater detail.

First, *VAWA Grant Programs,* VAWO currently administers 11 grant programs. Through our grant programs, funds are provided to various organizations and state and local government agencies to create and enhance services and training on domestic violence, sexual assault, and stalking. Though these programs are all quite new, with STOP having the longest funding history—eight years—the programs have already produced remarkable results. We are reaching more women with more

services than every before. For example, in FY 1999 and 2000 alone, STOP funding supported 4,370 separate projects, and 43 percent of all victims served with STOP funds were in groups that were previously underserved.

We are seeing innovation and collaboration that reflect the spirit of the Violence Against Women Act. More interdisciplinary teams of law enforcement, advocates, corrections, judges, and prosecutors are being developed throughout the country. In my home state of Utah, STOP funds are used to provide a medical response team that accompanies victims to the hospital. In California, experts from the sexual assault field were added to the state's STOP Task Force. In Ohio, state subgrantees are required to target underserved populations, and now reach the hearing impaired, migrant workers, and Amish, as well as victims in rural Appalachia and the African-American community in urban centers. And, the grant funding set-asides have allowed us to expand services to so many Native American women.

These are but a few of the hundreds of ways in which our programs are beginning to change women's lives and the response of the criminal justice community to violence against women.

Second, *the National Advisory Committee on Violence Against Women.* The National Advisory Committee was established in 1995 to provide guidance on implementing VAWA. The Committee is chaired by the effective team of the Attorney General and the Secretary of the Department of Health and Human Services, and is comprised of experts in the fields of domestic violence, sexual assault, and stalking. I was privileged to serve on this Committee as we developed a comprehensive plan to end violence against women—Ending Violence Against Women: An Agenda for the Nation. We also developed the Toolkit to End Violence Against Women, a Web-based guide to assist communities and individual engaged in activities to end violence against women. The charter for the Committee was recently renewed.

Third, *Technical Assistance.* VAWO's Technical Assistance (TA) Program plays an essential role in implementing VAWA. It is not a program that was created by statute, but one that we created first to provide all VAWA grantees with the expertise and support they need to develop and implement successful projects. Our technical assistance also allows us to reach the entire criminal justice system—law enforcement, prosecutors, judges, courts, and state attorneys general—to provide them with an understanding of the complexities of violence against women issues and the knowledge to effectively respond to victims and enforce the laws. We consider TA providers to be extensions of our staff. The TA Program helps to build the capacity of local communities and national organizations to respond to and address these horrendous and difficult crimes.

Fourth, *Interaction.* The day-to-day interaction of our staff with individuals within OJP, within the Department of Justice, with other federal agencies, and with those in the field is essential to presenting a comprehensive picture of how the Violence Against Women Act is being carried out across the nation. Through all of these relationships, we gain knowledge that allows us to determine where our efforts should be directed and to identify what programs are and are not working. Interaction with individuals in the field, whether it be at a conference, during a phone call, or during a visit, is infinitely valuable in the work we do and provides us with some of our most useful information. Their ideas, suggestions, and criticisms keep us on the right path, keep us current on what is happening in our communities, and offer us a fresh perspective on issues we grapple with every day. This close collaboration between our Office and those working in research, policy, and practice, is in direct support of the philosophy and spirit of the Violence Against Women Act. It is critical to our mission.

We have established many ambitious priorities for our Office during the coming year to help fulfill that mission.

Program sustainability is one of our priorities. Many of our grantees depend solely upon VAWO funding to keep their programs in operation. There will never be enough money to support all current and future grantees. Therefore, it is imperative that grantees begin thinking of ways in which their programs can continue to exist, and even thrive, without dependence on federal funding. We now require all our grantees to submit a sustainability plan in their proposals. In the near future I plan to hold a focus group with practitioners in the field to discuss innovative ways in which grantees can think smarter about sustainability.

One of my priorities, which is strongly supported by Assistant Attorney General Daniels, is to develop ways to improve our ability to measure the effectiveness of VAWA grant programs. We want to know: Do they work? Are they producing the outcomes that were originally intended? What is the impact of VAWA on communities? Are we really making a difference?

To this end, we have embarked on a special initiative to find the answers to these questions. In conjunction with the Muskie School at the University of Southern

Maine, the Violence Against Women Office is creating a tool to assist grantees with the identification and collection of data so that we have a consistent and reliable method for analyzing the effectiveness of the programs and relaying that information to Congress.

My commitment, the commitment of the Violence Against Women Office, OJP and the Department of Justice is to ensure that the mission of the Violence Against Women Act is fulfilled. I want to make it clear that the Violence Against Women Office doesn't just write checks—as some have suggested. Through every solicitation, through every technical assistance project, through every monitoring visit, through every conference, through all of our activities we are guiding the policies that Congress set forward. As we administer and manage millions of dollars of grants that reach thousands of communities, we are ensuring that we are effectively changing the culture surrounding violence against women. It is only when this society truly understands the incredibly debilitating and horrendous consequences of domestic violence, sexual assault, and stalking, that we will have a real chance to end violence against women. Keeping the Violence Against Women Office within OJP will allow us to concentrate on developing the programs and policies to address these violent crimes, while being able to rely on the effective coordination and support of these initiatives within the OJP infrastructure. Our success greatly depends on our ability to access and effectively use the tools currently available to us. The collaborative nature of our work requires that we reach out beyond the confines of our office to the offices, organizations, and individuals who work with us every day to keep women safe and hold offenders accountable for their violent actions. We look forward to continuing this important work until that day when there will no longer be a need for a Violence Against Women Office. Thank you.

STATEMENT OF HON. DEBORAH J. DANIELS, ASSISTANT ATTORNEY GENERAL, OFFICE OF JUSTICE PROGRAMS, WASHINGTON, DC

Mr. Chairman and Members of the Subcommittee: I am pleased to testify about both the status and the stature of the Violence Against Women Office (VAWO) within the Department of Justice.

As you know, Mr. Chairman, the Violence Against Women Act (VAWA) and VAWA 2000 have been and continue to be instrumental in increasing the safety of women throughout the United States. I appreciate the leadership of this Committee and this Congress in spearheading this landmark legislation and for all you continue to do on behalf of women victims of violence. These laws have provided the Department of Justice with essential tools to improve enforcement of domestic violence, sexual assault, and anti-stalking laws and improve services to victims in all areas of the country.

The Department is fully committed, Mr. Chairman, to continuing its efforts to raise awareness of domestic violence, sexual assault, and stalking and improve and expand services for victims. The Attorney General's personal commitment to ending violence against women is well known, and he continues to speak out across the country at every opportunity to bring further attention to this issue. At the same time, he has made violence against women issues a departmental priority and has made it a point to meet with representatives of key constituent groups, making the issue a primary focus of the Department, even in the aftermath of the September 11th attack, and the revised reality that we must face as a nation at war with terrorism.

In 1994, the Violence Against Women Office (VAWO) was created within the Office of the Associate Attorney General to provide leadership for departmental and national initiatives to address violence against woman and to provide analysis and interpretation of the provisions of the Violence Against Women Act. At the same time, the Attorney General delegated authority to the Assistant Attorney General for the Office of Justice Programs (OJP), who established the Violence Against Women Grants Office (VAWGO) to administer the grant provisions of the Act. While the Violence Against Women Office at Main Justice provided a focal point for the issues, the Violence Against Women Grants Office worked directly with the field and responded to state and local needs. As the grant programs were implemented, it became clear that the direct hands-on relationship between program and policy was essential.

In addition, it became apparent that the separation of functions between two offices was neither effective nor efficient. Having two offices diluted the impact of the Violence Against Women Act, created confusion in the field, and resulted in a lack of communication and focus within the Department. In March 1999, the two offices merged within OJP, creating for the first time a consolidated office speaking with

one voice on the Violence Against Women Act. Staff communicates and shares information daily. The single Violence Against Women Office has become stronger and more effective as a result of the change.

The process works. For these reasons, as the Department has already expressed to this Committee and to the House, we oppose legislation that would establish a Violence Against Women Office that is separate from its current position as a component of OJP.

Since 1999, the Violence Against Women Office has, through research, policy guidance, technical assistance, and financial support, worked to enhance the capacity of state and local jurisdictions to address issues relating to violence against women, just as the many other components of OJP, for the last 30 years, have worked with these jurisdictions to enhance the capacity of their public safety and justice systems.

The Administration believes it is important to retain VAWO within OJP for a number of reasons.

First, we believe that the current structure continues to provide high visibility for violence against women issues. VAWO continues to be headed by a presidentially appointed director. For more than a decade, VAWO's current director, Diane Stuart, has served as an advocate for domestic violence and other victims of crime. The Attorney General and I know that Diane will continue to champion the rights of women victims of violence and work to address their needs. Diane has the full support of the President, the Attorney General, and all of us within the Department of Justice, for the important work of her office.

Moreover, as Assistant Attorney General for OJP, I will continue to use my voice and my position to ensure that issues relating to violence against women receive the full attention and commitment of OJP and the Department. As a former prosecutor, and later as director of a private, nonprofit organization, I have considerable experience in advocating for victims of domestic violence. As Chief Counsel to the prosecuting attorney in Indianapolis, I supervised prosecutions of domestic violence and sex offense cases. I also was responsible for the office's victims' services component. I developed and advocated for legislation to protect domestic violence victims, and worked with nationally renowned researchers in the field of domestic violence to develop prosecution policies informed by applied research. Later, from a position in the private sector, I was instrumental in creating much-needed housing for victims of domestic violence and their children. At OJP, I will continue to work on behalf of the victims of domestic violence, stalking, and related offenses.

Second, as the Department's primary conduit of financial and other assistance to state and local governments and national organizations, OJP serves as a focal point for policy and program development related to state and local criminal and juvenile justice and victims issues. For over 30 years, OJP has worked closely with state, local, and tribal governments and national organizations to identify and address criminal justice-related needs. Further, OJP has established various mechanisms—such as our publications clearinghouse and use of advanced technology—for disseminating information and assistance to these constituent institutions. By retaining VAWO within OJP, jurisdictions will continue to have a centralized source of expert assistance and resources, not only related to domestic violence, but to other issues related to criminal and juvenile justice.

Third, VAWO clearly benefits from its close interaction with other OJP components and the synergy provided by their common focus and efforts. For example, VAWO works closely with the Office for Victims of Crime to develop and support programs and policies affecting women victims. VAWO staff work closely with the National Institute of Justice to formulate research priorities under its substantial Research Program on Violence Against Women and to assess the impact of research results. Similarly, VAWO benefits from the statistical analyses of violence against women data compiled by the Bureau of Justice Statistics. Together with the Bureau of Justice Assistance, VAWO reaches out to the law enforcement, courts, and corrections communities. Further, VAWO and the Office of Juvenile Justice and Delinquency Prevention work together to address the problems experienced by children who are exposed to domestic violence.

Fourth, the Department is concerned that separating VAWO from OJP would diminish VAWO's ability to administer its grant programs effectively and efficiently. Congress has directed that OJP lead the states in efficiently managing federal criminal justice grants. OJP's specific, unique mission is to offer federal leadership and resources to help state and local communities formulate policies and create programs that prevent and control crime, including domestic violence, sexual assaults, and stalking.

As authorized by Congress, OJP is responsible for ensuring that federal grants for crime prevention and response are effectively and efficiently managed. VAWO benefits from management and administrative support provided by OJP. OJP's Of-

fice of the Comptroller sees that grant monies are distributed to the states and local communities on time, and in conformity with federal financial management guidelines. OJP's Office of Administration has implemented an on-line grants management system that allows states, tribes, and localities to apply for grants and make financial and programmatic reports on-line. OJP's Office of Congressional and Public Affairs works to promote the programs and activities of VAWO and to keep Congress and the public informed about upcoming grant awards and the status of VAWO grant programs. Our Office of General Counsel provides expert legal guidance on grant-making, regulatory activities, and compliance issues. Therefore, housing these administrative services under one OJP roof enhances the quality and consistency of the financial, programmatic, and legal management of OJP's bureaus and program offices.

I would like to address one other concern that has been raised regarding the status of VAWO. As you know, Mr. Chairman, under congressional direction, the Department is formulating a plan for the reorganization of OJP. However, this reorganization plan would in no way be detrimental to the important work of VAWO. Under any plan proposed by this Administration regarding the structure of OJP, the Violence Against Women Office will continue as a discrete office to provide national leadership and serve as the focal point within the Department for initiatives addressing violence against women and its victims.

In addition, VAWO will continue to work closely with the other components of OJP and the Department, including the Office of Legal Policy, the Office of Legislative Affairs, the Office of Intergovernmental Affairs, the Immigration and Naturalization Service, the Executive Office for United States Attorneys and individual U.S. Attorneys' Offices to implement the mandates of the Violence Against Women Act and subsequent legislation. It will continue to provide guidance to states, local governments, and Native American tribes in addressing violence against women issues within their jurisdictions. And it will continue to coordinate its activities with national women's and victims' organizations who share its common goal of ensuring justice for women victims of violence.

In conclusion, Mr. Chairman, VAWO is much more than, as some Administration critics have charged, a grants vending machine. Under this Administration, VAWO will continue to serve as national advocate and powerful voice on issues addressing violence against women. The Department is grateful for your continued interest in and support of our efforts to eliminate all forms of violence against women. We share your commitment to achieving this goal and are happy to work with you on these issues.

Chairman BIDEN. Thank you, Ms. Stuart.

Let me begin by saying that I do not have the slightest doubt about your commitment to this legislation, so my questions that I am going to ask you—really, basically, one question—really go to the efficacy of how to deliver the services, including the policy piece.

I mean, you have been out in the field. You have done this. You have done the hands-on work. You understand. You have seen the fear in those women's eyes. You have seen the relief, the way their whole face changes, the way physically the body language changes. You have seen that. You have felt it. You taste it. You smell it.

I do not have any doubt about your commitment. I do have doubt about the judgment about the administration proposal, whether it came from you directly or within the Justice Department, about what we are about to do. So it is in that context that I am asking these questions.

Let me say that in your statement, on page 2, you write that every task the office performs is somehow connected to policy. And then you seem to define it in terms of the following: solicitation development, grant management, the administration of technical assistance, and the communication to the field.

Now, these are obviously very important responsibilities in making sure what Senator Grassley is justifiably concerned about, who is—in addition to Senator Roth, the two men who were most con-

scious of whether or not tax dollars of the taxpayers are being wasted.

And so all of those things, in my view, relate to the overarching concern the Senator has expressed time and again about: Are we using the dollars effectively? Are they being administered well? Are they efficacious in their use?

But it seems to me they do not strike me as the sort of big picture issues that Congress talked about.

I was further troubled on page 3 of your testimony with some examples that you cite as policy work done in conjunction with other departments and agencies. You cite, for example, working with the National Institute of Justice to measure the effectiveness of the VAWA programs, working with the Bureau of Justice Statistics to manage some Bureau of Justice grants, and collaborating with OJP offices to coordinate a grant application peer review process.

Again, to me, that is not the policy I am talking about. That is administrative.

Now, again, these tasks, all related to review of grants and monitoring grants and making grant payments, are a very important components to the grant-making shop, but they do not strike me as the sort of important policy functions that the Violence Against Women Act ought to be doing.

Nowhere in your testimony, or anyone else's in the administration that I have spoken to, for example, do I see the sorts of policy descriptions that were listed in your office's own December 2001 organizational structure document. As you know, you described the job of the policy development division "to provide legal and policy analysis regarding VAWA and related legislation to the White House, to the Attorney General, to the DOJ components, to federal agencies, to Members of Congress, to the general public, state and local officials, and crime victims."

I might add, parenthetically, that is a pretty good description of the crucial policy role that I intended the office to play when we wrote the legislation.

Now, do you believe the Violence Against Women Office still has a policy role to assume and it has a primary responsibility within the Federal Government on legislation and policy proposals, not merely to write checks? Where does your testimony lay out the policy piece of this?

For example, the opposition to the proposal that passed out of the Senate, my proposal, to create an independent, separate Violence Against Women Office within the Department of Justice, like the COPS office within the Department of Justice, the opposition seems to relate to that there is overlap and duplication between the Office of Justice Programs and the Violence Against Women Office, and that both are engaged in the provision of tools to help communities deal with violence against women.

But under this analysis, the FBI and DEA would have to merge, which I, by the way, fought for for years and finally succeeded with another administration's attempt to merge the two, because both have significant roles in counternarcotics work.

Under this analysis the criminal sections of the Tax Division and Civil Rights Division have to merge with the Criminal Division, because they both work on criminal matters.

Under this analysis, the Independent Office of Community Relation Services would have to merge with the Civil Rights Division, because both deal with civil rights matters.

Isn't it true that there is an inevitable overlap between many of the arms of the Justice Department? Isn't it also true the Office of Justice Programs already provides significant administrative support, the very functions you cite as reasons for the Violence Against Women Office to remain within OJP?

For example, they provide that same support for the COPS program. They do the same exact thing for the COPS program that you are saying that you have to be within OJP to get. OJP provides that administrative help and service to the COPS program.

Also, there is a precedent for this independent office. The COPS program exists outside the Office of Justice Programs even where there is a certain overlap between the jurisdiction of them and other offices.

That is a very long question that basically says: I do not understand why the Violence Against Women Office is any different than the other offices I have mentioned, unless we conclude that it is not as important as these other offices.

When I initially introduced this legislation years ago, the initial argument against it was, there is nothing unique about violence against women. I used to hear the argument: "If we have a Violence Against Women Office, why don't we have a Violence Against Men Office? Why don't we have an office relating to bank robberies? Why don't we have an office relating to whatever?"

And the argument I made—and others, particularly the women's groups, who were such an incredible help in this regard, and probably you from the field at the time—was that, hey, look, this ain't the same animal. We are talking about millions of women. We are talking about the need to change the mindset of America. We are talking about the need to change the way we think about this thing.

Judge Poppiti, who has been the single most responsive guy, I would argue, in the country, is heading our Family Court. The day after this act passed, I called him. I asked him if he could get together in our State Capital everyone involved—everyone involved—administratively in violence against women.

So he brought down—I do not remember, Judge, but I think there were several hundred people, including the clerks in the Family Court—including the administrator of the Family Court, including the providers of services, including the judges, everyone. And we brought in the violence against women folks and we found out little, simple things.

And I will end with this, which I call policy.

Other states had learned, for example, that when a woman walks in after being beaten and battered and makes that God awful difficult decision that she is going to do something about it, and she walks into whatever in this particular state is the appropriate jurisdiction—in our state, the Family Court—she walks into the Family Court and walks up to the clerk and says, "I get beaten up by my husband, and I need some help." And the clerk goes, "What did you say? Your husband did what? Huh?" And literally, that is how it works.

And guess what we found out? The vast majority of women at that point turn around and walk out the door.

We got together every one of the emergency rooms in my State, which is easy in my State because we are small—every one—because the judge told me the docs do not want to get involved in this.

And guess what? We sat them all down and we said, "Look, you have got to train you docs on how to recognize whether a woman walked into the door jamb four times in a row or she is being beaten."

And they said, "Well, we cannot do much about that."

And I said, "Well, you have the woman there. You can do a lot about it." You know what we can do? We can make sure we organize our State in a way that there is an attorney general's office that has a specific assigned attorney general. That is our general prosecutor; we do not have DAs.

And they will show up at the hospital. The county or the State will actually provide an automobile. They will actually physically take the woman to her house under guard, get her stuff. We will then actually physically have someone take that person to a shelter. We will actually call a specific judge and get a stay-away order. We will do it all in one fell swoop.

Guess what? Women decided they would do it then. Those are policy kinds of decisions you are making.

Ms. STUART. That is right.

Chairman BIDEN. I do not see anywhere where any of there reasons you assert as to what the office is going to do relate to any of that kind of policy judgment. So maybe you can enlighten me on that. Who is going to do it? The grant officer is going to pick up the phone and call the chief judge? How does this happen?

Ms. STUART. Thank you, Senator.

I think that you really have described how it does happen, because you have talked about who they are out in the field and what is going to happen.

Chairman BIDEN. But it is a policy person doing this. It is out of the policy piece.

Ms. STUART. Sometimes it is, and sometimes we call it policymaker. And it is very much like the coordinating council that Judge Poppiti sits on or the cabinet council that I sat on. It is those that make the direction and make the decisions. But more often, it is those that are actually doing the work that carry it out.

I really believe——

Chairman BIDEN. No, they carry out. Again, I am not trying to be—and I will end this to give Senator Grassley an opportunity here.

But I am not trying to be picky with you.

For example, the law that the Immigration and Naturalization Service is dealing with relating to battered women—now, they do not have the legal expertise; they do not have the background. There should be someone out of your office who would be literally sitting down with them, who is a full-blown lawyer and policy person, saying, "The 17 studies we have done show you the following things and this is what happens. This is what we think is the way to go about this."

Who is doing these studies? You are supposed to be doing them. The policy people within your operation are supposed to, not the grant maker. You are the one who is supposed to be sitting there saying, "You know, we really should take a different look at why these stay-away orders are not working as well as they should be working. They seem to work in the jurisdictions of California and Oregon, but they do not work so well between California and Nevada. And they are not working at all well between Illinois and Indiana. So we should have a study. We should be the ones, out of my office, deciding to help people with it."

Who does that in your office, under this new approach?

Ms. STUART. I would turn to my support, which would be the National Institute of Justice. I would work very closely with Sarah Hart as the Director of the National Institute of Justice, and have her come up with exactly that kind of study, exactly that kind of initiative. Absolutely.

I think that the technical assistance arm of our office, which as I said in my opening statement, I was just amazed at how many there are. I thought we have one or two. We have close to 50 different technical assistance providers.

So there are lawyers that are sitting down with communities. There are individuals going out and working on specific programs with judges, with policymakers, with leaders in government, to help incorporate those initiatives, the workplace violence initiative.

Chairman BIDEN. But that is not your grant people, is it?

Ms. STUART. No. It is our technical assistance arm. That still exists within the office. That is still thriving and exciting and unbelievable. Those are the people.

The grant managers would be supported by that technical assistance arm that exists right now. Those that were doing what we used to call the policy teamwork, they are still doing the exact same information. They are still providing documents, talking points, to the White House, to the Department of State, to the Department of Labor. They are still doing all that.

I am very strongly working with the Women's Bureau at the Department of Health and Human Services, for instance, and the Women's Bureau at the Department of Labor, to incorporate and collaborate and communicate with those departments.

So I really see policy throughout everything that we do. When you send $200,000 to a community, $600,000 to a community, and you tell that community, "In order to get this money, you have to"—and you wrote it in the legislation—"you have to change your law so that you prohibit mutual protective orders, so you discourage dual arrests, so you do not charge for fees," all of that is setting policy for the state.

I think it is intertwined with everything we do. And I think we need to continue to do it as effectively as my predecessor has established the foundation for it to be.

Chairman BIDEN. As my mother, who is an 86-year-old, lovely Irish woman would say, "God love you, dear, but we are going to try to save you from yourself."

We are going to try to give you more than you want. I am going to try to give you more than you want, including more money.

You know, there is an old expression I learned early on. I should not acknowledge this, but it is true. I learned early on, from, I will never forget, 1970, I was a young councilman. And the woman who was the chair of NOW in my State wanted to come and see me. And she sat down and she said, "We are about to have, whether you know it or not, Joe, a sensitivity session."

I said, "We are?"

And she said, "Yes." And she said, "The way you can determine the sensitivity of an organization to the concerns that we have is look at the budget, look at the numbers, and look at the priorities. If you tell me you care about women and there is not a lot of money in the budget for women, or you tell me you care about women and all the women make 40 percent less than the men, then you do not care a lot about women."

And my view is, if we take this significant, significant office and do not have it with a separate standing, separately laying out there, reporting to the number three person in the Justice Department, with this whole apparatus available to it, we literally—not intentionally, on your part—degrade the importance of the function. And things flow from that.

Again, I know I am broken record. I had the same argument about making the drug director a Cabinet-level office. Granted, I wrote the legislation, so people say you would expect Biden to say that. COPS, same thing: Granted, Biden wrote it; therefore, Biden would be that way.

But I think this is equally as important as those two functions, and I think you read into it an organizational structure and a budget just how much you care about it. And I think it tends to flow when you have more muscle and more voice.

I would like to give you more muscle. I have no doubt about your willingness to flex it. I realize you do not agree with me. And I am grateful for your answers, but I have not changed my mind. I suspect you haven't changed yours either.

But I will yield to the Senator from Iowa.

Senator GRASSLEY. I have three questions I am going to ask, and one in writing. The one in writing I will read to you now, so that you can get back to us, and this is in regard to your working with the Muskie School at the University of Maine to create a tool to assist grantees with their data collection efforts. So please tell me more about how that tool would help those receiving grants to make the money more effectively used.

Ms. STUART. I would be delighted to.

Senator GRASSLEY. My first question for answer now is the fact that the General Accounting Office reported in November 2001 and again in March of this year that there have been significant problems with grant management both at OJP as well as your office. Have you taken any action to improve the situation within the Violence Against Women Office?

Ms. STUART. We certainly have. Thank you for that.

Part of my goals while I am here is to make sure that what we are doing really makes a difference. And certainly grant monitoring is one of those elements that contribute to that.

We have. We have put together an internal committee of grant managers, looking at the issue. What are we doing right? We cer-

tainly went to the GAO report and took the lessons from that particular report. But what are we doing right? What are we doing wrong? What can we do better?

That is part of the reorganization of our office, so that different units—the arrest unit, for instance, would have more people looking on that particular issue.

And grant monitoring is not so much—it is, of course, how a grantee is utilizing the funds. Are they utilizing it in the way they should? Are they accomplishing what they intended on doing? It is really: Are the victims getting the services that they need? Is it accomplishing what was basically intended?

So it goes all the way down to the level of a victim. We are looking at how we do business that way. Are we recording the kind of monitoring that we do? Do we have to do a site visit for everyone? Can we do a visit over the phone? Can we do another kind of visit? Can we coordinate with the Office of Victims of Crime, for instance? And as they do a site visit, they could take a look at our grantee. And very often, they are the same grantee.

So there are many things that we are doing. We are also putting together a database, so we can track where things are and who has been seen and has not been seen and who has contacted.

So those three elements—coming up with an internal committee, trying to look at the issues, coming up with a database to track what is actually happening—and then the new configuration of how we are doing business in the office, having more individuals working on a particular program, are all three areas that I think are going to improve what we are concerned with.

Senator GRASSLEY. My second question deals specifically with the process that OJP is going through, of reorganizing to improve efficiency and effectiveness of its entire program, not just the grant part of it, as my first question applied to.

How will the reorganization impact your office? And what role have you played in the development of the reorganization plan? And, basically, how will it impact your office?

Ms. STUART. I have been involved in many of the discussions regarding the reorganization of OJP. The impact will benefit us in many different ways. We will stay as an independent office within the Office of Justice Programs, so how we do business will pretty much be the same, but we will receive the benefits of the abilities of the entire organization to look at the streamlining, and grants is a big part of it, how do they go through the system. Do we have a uniform way?

Coming from a State, in the organization I was in way back, we had, for instance, a Violence Against Women Act grant and we also had a Victim of Crime grant. And both of those entities required us to do different things at different times. Well, the OJP restructure will help us. "Okay, maybe I can just make one general type of application, and then go this way with what I need here and this way with what I need here." So streamlining the application process right there.

When I look at a solicitation, if I am going to go for the one for the Violence Against Women solicitation, gosh, will it be anywhere like the one for BJA or OVC or somebody else? Yes, it will be very

similar in the way it is formatted. So it will be very much the same.

Entities out in the field, as you well know, Senator, do not understand. There is just one big "they" in Washington. And so we are trying to help them with the process by doing our business better, by doing our business in a more efficient and effective way, just saying, "Yes, there is one big 'they,' and if you just go down this thing, we will help you find the resources that you need to do."

So it will have that kind of an impact on our office.

Senator GRASSLEY. To what extent have you been rebuffed? Number one, have you have made suggestions, as this office has gone through a reorganization, that might impact your office, that are not being followed? Or have you raised objections about something being done, but they went ahead and did what maybe you objected to? Or aren't you far enough along in the reorganization that that has not come up?

Ms. STUART. Neither one of those have come up in my experience. My communication with Assistant Attorney General Deborah Daniels, and with her office, and with the rest of the bureau heads, has been one of——

Senator GRASSLEY. Well, then let me ask you if my assumption about the reorganization—maybe it hasn't progressed far enough yet. In your judgment, how far has this progressed?

Ms. STUART. I think we are just barely into phase one.

Senator GRASSLEY. So, obviously, you have not had that because you have not had that opportunity.

Ms. STUART. We are not to that point.

Senator GRASSLEY. Okay. Then my last question: The opinion of some domestic violence advocates, including some of the witnesses that are going to be testifying today, is that your office would be better off as a separate office. In your testimony, you recommended leaving it within OJP. As the Director, could you highlight some of the specific benefits that will be reaped by not making the office separate and independent?

Ms. STUART. Thank you, Senator.

I think the biggest benefit will be that I can spend more of my time as the Director of the Violence Against Women Office on the issues that I need to.

Right now, I can rely on all the infrastructure of the Office of Justice Programs. I really think that if I were a separate office, I would have to oversee all of those infrastructures. I would have to make sure that they are in fact doing the job that they are doing right now.

The way we are progressing right now is definitely the direction I think we need to go in. It is my personal belief.

We are asking communities, we are asking individual agencies, to collaborate with each other, to coordinate with each other, and to work together, because we know that is what works. I think we as the Federal Government need to do exactly the same thing.

Senator GRASSLEY. Thank you.

Ms. STUART. Thank you.

Chairman BIDEN. I have one concluding point.

Judge Poppiti, who you know, who is going to testify, in his opening statement on page 3 says: I welcome the opportunity to speak

in support of S. 570, which would establish a permanent office in the Department of Justice. My friend and former colleague on the National Advisory Council of Violence Against Women Act, Diane Stuart, and I, along with other members of our leadership group, participated in preparation of a document entitled, "Establishing a Permanent Office to Address Violence Against Women." I believed then and I conclude now that—and he lays out what it is.

But I want to make it clear to you that I do not cite that to you as evidence of any change. You work for the President of the United States; you work for the Attorney General.

Ms. STUART. But I also still believe in a permanent office.

Chairman BIDEN. So what you signed on to, to establish a permanent Violence Against Women Office, you still——

Ms. STUART. It is where we are located that I think is the difference.

Chairman BIDEN. Got it. I see.

Okay, thank you very, very much. I appreciate your testimony.

Ms. STUART. Thank you, Senator.

Chairman BIDEN. If there is anything you would like to conclude with, you are welcome to.

Ms. STUART. Only that I am so grateful for all the work that you are doing. Your opening statement just shows such depth and breadth of the understanding of this problem. If we could clone you and take you all across the United States, I would love to do that.

Chairman BIDEN. Well, thank you. I am willing to go with you.

Ms. STUART. I am not sure about the cloning, but do you want to just go? [Laughter.]

Chairman BIDEN. No, we are not allowed to clone, and I think it would be a real disaster for the United States to have two of me. [Laughter.]

Ms. STUART. Okay. You want to just go?

Chairman BIDEN. And my wife would not like it at all. [Laughter.]

But I thank you very, very much. I appreciate it very, very much.

Chairman BIDEN. Our second panel is made up of four very distinguished Americans.

The attorney general of the State of Georgia, who was introduced by Senator Cleland, Thurbert Baker: He has been attorney general of the State of Georgia since 1997. In 1999, he led the effort to enact legislation to increase penalties for domestic violence offenders and made it a crime to commit an act of domestic violence in front of a child.

Attorney General Baker serves as chairman of the Violence Against Women Committee of the National Association of Attorneys General and as an adviser to the Harrell Center for the Study of Domestic Violence at the University of South Florida.

He holds degrees from the University of North Carolina and the Emory University School of law.

And I welcome him here today.

Mr. BAKER. Thank you.

Chairman BIDEN. Vincent J. Poppiti has been Chief Judge of the Delaware Family Court since 1992 and since 1993 has served as the chair of the State's Domestic Violence Coordinating Council.

A judge in Delaware since 1979, he holds degrees from Fordham University and the University of Virginia. He is a trustee of the Children's Advocacy Center of Delaware and a member of the Leadership Committee of the National Advisory Council on Violence Against Women.

Among various other awards, Judge Poppiti received the first annual William H. Rehnquist Award for Judiciary Excellence from the National Center of State Courts and the Award for Excellence for Health, Betterment and Prevention of Youth and Family Violence from the Delaware Public Health Association.

I want to thank you for joining us, Judge.

Judge POPPITI. Thank you, Senator.

Chairman BIDEN. And since January of 2000, Lynn Rosenthal has served as the executive director of the National Network to End Domestic Violence, a membership organization that advocates on behalf of the State's domestic violence coalition that serves 2,500 local service providers. At the same time, she serves as the director of the National Network to End Domestic Violence Fund, which provides training, technical assistance, and resources to those organizations.

A former director of the Florida Coalition on Domestic Violence, she has helped to develop two innovative service delivery models for rural legal assistance. In 1988, she received the Governor's Peace at Home Award, given to an advocate who has made a difference in the lives of battered women and their children.

She holds degrees from Florida State University. And we worked with one another before, and I welcome her here.

Ms. ROSENTHAL. Thank you.

Chairman BIDEN. Laurie Ekstrand has worked for the General Accounting Office for 17 years, with 7 years on justice issues.

Her professional career also includes several years as a consultant and a year at the World Bank. She holds a B.A. from the University of Maryland and a M.S. and Ph.D. from Florida State University.

Florida State is well-represented here today. [Laughter.]

Florida generally is represented here today.

And she has taught program evaluation at American University and internationally.

We look forward to her testimony as well.

Last but not least, Casey Gwinn has been the attorney general of the City of San Diego—my favorite city outside of Delaware—since December of 1996.

It is my favorite. New Orleans is the only city in America out of America that I like that well. But San Diego is a magnificent city.

Prior to his election, he headed the city's domestic violence unit for 9 years, receiving recognition from the Governor's Office for aggressive prosecution, even when victims were unable or unwilling to participate.

In 1989, he was instrumental in founding the San Diego Task Force on Domestic Violence.

His record in law enforcement reflects a commitment to intervening when offenses are at the misdemeanor level, in hopes of preventing more serious crime. That effort has been rewarded in

part by a 60 percent drop in domestic violence homicides over the last 10 years in San Diego.

Thank you for your work, and I thank you for coming.

Ladies and gentlemen, welcome.

Senator GRASSLEY. Mr. Chairman, could I apologize both to you and the panel? I have a noon appointment that I cannot miss, and I will not be able to be here. But I am going to submit some questions, particularly to the General Accounting Office and to Mr. Gwinn and to the attorney general, for an answer in writing.

Chairman BIDEN. Without objection, they will be submitted. We understand your schedule and, in light of the fact that we got started late, it is almost impossible for you to be able to stay. But we thank you very, very much.

So let me begin with you, General, and we will work our way across in the order you are introduced, based on nothing other than that is the way you were introduced.

STATEMENT OF HON. THURBERT E. BAKER, ATTORNEY GENERAL FOR THE STATE OF GEORGIA, ATLANTA, GA

Mr. BAKER. Thank you so much, Chairman Biden and Senator Grassley, for the opportunity to come and be with you today.

I also, before I get started, would like to thank my senior citizen—senior Senator from the State of Georgia. [Laughter.]

Chairman BIDEN. See, that is the reason I do not like being the senior Senator, because every time we get introduced, it is so easy to say "senior citizen," which, unfortunately, I am close to becoming. But I will not tell Senator Cleland you called him senior. [Laughter.]

Mr. BAKER. He is, indeed, our senior Senator from the State of Georgia. And we are so very proud of him. I want to thank him for his kind words of introduction.

And, Senator, I want to take just a minute to thank you for you do in this area. Your work in the area of domestic violence is legendary. And I want to thank you for your continued support of the issue.

Being here today gives me an opportunity really to speak on the issue of domestic violence, a matter that has, quite frankly, been the focus of a great deal of my time both as a legislator and as attorney general for the great State of Georgia.

History will remember each one of us not so much for the promises we make but by the actions we take. I believe it is time for America to take very decisive action in the fight against domestic violence. And I want to explain to you why.

Domestic violence has, in my opinion, reached crisis proportions in our country today. I will not go through all the numbers for you, the statistics; they have been provided already. But clearly, in my opinion, those numbers and statistics suggest one thing: that we have reached a crisis proportion in our country as it relates to domestic violence.

It is my belief that this problem tears at the very fabric of our society. It threatens to pull apart at the very glue that holds our way of life together. That glue, of course, being the family structure.

Unfortunately, domestic violence is all too often a silent epidemic, eating away at families while society turns a deaf ear to the tragedy that lies behind closed doors.

In our quest to keep up with Joneses on a material level, we miss the fact that far too many Mrs. Joneses are victims of violence in their own homes. No longer can we sit back and accept the argument that domestic violence is a private family matter. It is, without a doubt, a very public crime that, in my opinion, offends the very core values of this great Nation.

When this issue first came to the forefront 10 to 15 years ago, resources to combat the problem were typically limited to marriage counselors, battered women shelters, or the dedicated law enforcement official who did not look the other way or chalk it up to the fact that the Joneses were simply having a bad night.

The problem with these Band–Aid fixes, however, was that a counselor often was unable to fix the root of the problem and women lacked the resources and support to make the break after the reprieve of a shelter stay or a night in lockup for their abuser.

Over the last decade, I have also seen a tragic consequence that all too often is ignored in the traditional dialogue on domestic violence. I of course speak of the tragedy that results when children witness acts of domestic violence.

The juvenile courts in Georgia are filled with delinquents who are themselves victims, having learned how to be a bully by watching their parents. As adults, these innocent witnesses become abusers themselves, having learned how to beat their wife at daddy's knee.

As chief prosecutor in Georgia, I have taken a strong stand against domestic violence—both for the victims who walk among us with physical scars and those who will carry their emotional scars as they grow up with our children's children.

In my first term as attorney general, I championed legislation in Georgia that made our State a model in stopping the cycle of abuse.

Ending domestic violence and the attendant cycle of abuse is and will remain my number one priority as attorney general in Georgia. However, the problem of domestic violence is not just a crisis in Georgia. Its insidious tentacles reach from coast to coast.

In response, the National Association of Attorneys General has established its own Violence Against Women Committee, which I am so honored to co-chair. This committee has initiated several programs to address the epidemic of sexual assault and domestic abuse against women. I am proud to say that the National Association of Attorneys General is a leader in the fight against domestic violence, strongly supporting efforts at the state and national level to end the cycle of abuse.

Let me commend Congress for the bold step it took in passing the Violence Against Women Act and, through such action, joining the fight against domestic violence. The grant monies authorized under Violence Against Women Act have been a godsend to local law enforcement agencies, as well as support organizations. We now have additional dollars flowing down to the state and local level, supplementing overstretched local monies to ensure that

needed and beneficial programs receive funding to continue their mission.

Equally important to the states was the creation of the Violence Against Women Office in 1995. It assumed a critical role in our Nation's rally against domestic violence, giving us, really, a vision; giving us, Senator, a sense of direction; really giving us a feeling of hope.

Created in response to passage of the Violence Against Women Act, this office is recognized by government and domestic violence support organizations around the country as a valuable resource on policy and legal issues arising in the domestic violence context.

One of the primary functions of this office, to be certain, has been the administration of grants authorized by the Violence Against Women Act.

In Georgia, grants from the Violence Against Women Office have been used across a number of fronts in our continuing fight against domestic violence.

In talking with my fellow attorneys general, it is clear that similar programs providing essential services in the efforts against domestic violence depend on grants administered through the Violence Against Women Office. The involvement of the Federal Government has not been limited to participation by checkbook, however. The Violence Against Women Office has also become a resource that government and support groups can turn to on policy or legal issues arising in the domestic violence context.

This leadership, quite simply, is worth its weight in gold. An example that arises with increasing frequency concerns the enforcement of protective orders across state lines. A strong national office, with the resources and day-to-day expertise to coordinate and ensure consistent response nationwide, and also provide policy and training materials for use with law enforcement and advocacy groups alike, I think is a must in order for victims not to fall through the cracks of uncertainty and confusion.

The value of a strong Violence Against Women Office does not end with the federal resources and expertise that it is able to provide state and local groups. The office has also been a valuable partner to states in helping us to forge public-private partnerships to fight domestic violence. In my opinion, the fight against domestic violence really requires a public-private partnership, if we are going to make any significant gains, Senator.

When state officials, whether they be attorneys general, governors or legislative leaders, approach corporate decision-makers about adopting model policies or altering existing policies or practices, we are often greeted with, "Well, what does Washington have to say on this issue?" Their response will often be based on the importance that they think the decision-makers in our Nation's capital are placing on the initiative.

In short, the authority and prestige you afford a program sends a very powerful message to corporate America and in many instances will determine their participation.

Without the prestige and access afforded an independent Violence Against Women Office, I am truly concerned, Senator, that many of these public-private initiatives simply will not happen. If private industry does not get on board and become an active partic-

ipant in the efforts against domestic violence, individuals will surely suffer physical and financial harm.

That is why it is so critical that the Violence Against Women Office have the prestige, stature, and access envisioned by the Senate legislation.

We live in a day and age where one out of every three women has suffered abuse at some time in her life. Statistics show that every year upwards of 3 million children witness acts of violence by one parent or partner against another. These times demand leadership and initiative in the struggle against domestic violence at every level of government, from the municipal police department all the way up to the Attorney General of the United States.

Without a strong policy-setting arm at the national level that can be relied upon for resources and guidance, efforts to end domestic violence for our children, with the same fervor that our parents stamped out polio for us, simply will not happen.

As we confront the dilemma of domestic violence in the 21st century, one thing is absolutely clear: The situation calls for more leadership and initiative, not less.

I can promise you, Senator, that attorneys general and law enforcement officials from around the country are doing everything in our power to end the cycle of abuse. I would ask Congress to empower that same commitment and dedication at the federal level by empowering a strong, central voice in the Violence Against Women Office, a voice that not only spends grant dollars but also helps the states set vital policy in critical times.

History will remember us not by the promises we make but by the actions we take. No stronger action could be taken.

Thank you so much, Senator.

[The prepared statement of Mr. Baker follows:]

STATEMENT OF HON. THURBERT E. BAKER

Mr. Chairman, distinguished Senators, thank you for the opportunity to speak with you today on the issue of domestic violence, a matter that has been the focus of a great deal of my time, both as a legislator and as attorney general for the great State of Georgia.

History will remember each one of us, not so much for the promises we make, but by the actions we take. I believe it is time for America to take very decisive action in the fight against domestic violence. Let me explain why.

Domestic violence has, in my opinion, reached crisis proportions in our country.

Estimates range from 960,000 incidents of violence against a current or former spouse, boyfriend, or girlfriend per year[1] to 3.9 million women who are physically abused by their husbands or live-in partners each year.[2] In the United States, a woman is beaten by her husband or significant other nearly every 7.4 seconds and 42 percent of murdered women are killed by their intimate male partners.[3] Nearly one third of American women (31 percent) report being physically abused by a husband or boyfriend at some point in their lives.[4]

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[1] Estimates range as low as 960,000 incidents of violence against a current or former spouse, boyfriend, or girlfriend per year. U.S. Department of Justice, Violence by Intimates: Analysis of Data on Crimes by Current or Former Spouses, Boyfriends, and Girlfriends, March 1998.

[2] Estimates range as high as 3.9 million women who are physically abused by their husbands or live-in partners each year. The Commonwealth Fund, First Comprehensive National Health Survey of American Women, July 1993.

[3] In the United States, a woman is beaten by her husband nearly every 7.4 seconds and 42 percent of murdered women are killed by their intimate male partners. From the website http://*leserver.org/feminism/domestic-violence.html*.

[4] Nearly one third of American women (31 percent) report being physically abused by a husband or boyfriend at some point in their lives. The Commonwealth Fund, Health Concerns

Continued

Domestic violence is primarily a crime against women and their children. Women are 5 times more likely to be victims of intimate partner violence than men.[5] Approximately 4.8 million intimate partner rapes and physical assaults are perpetuated against U.S. women annually compared to approximately 2.9 million intimate partner physical assaults against U.S. men each year.[6] Domestic violence is not a respecter of age, race, or income. Two thirds of elder domestic abuse and neglect victims are women.[7]

The toll on our Nation's health care system is astounding. Hospital emergency department data show that women are about 84 percent of those seeking hospital treatment for international injury caused by an intimate assailant.[8] One out of 3 women in the hospital emergency rooms at any given time are there because of domestic violence.[9] Every year, domestic violence results in almost 100,000 days of hospitalizations, almost 30,000 emergency department visits and almost 40,000 visits to a physician.[10]

Another victim of domestic violence is our Nation's economy. A survey of battered women who were working at the time that their abuse occurred found that 56 percent of the women surveyed reported that their partners had harassed them at work by telephone and/or in person.[11]

It is my belief that this problem tears at the very fabric of our society. It threatens to pull apart the very glue that holds our way of life together, that glue being the family structure.

Unfortunately, domestic violence is all too often a silent epidemic, eating away at families while society turns a deaf ear to the tragedy that lies behind closed doors. In our quest to keep up with the Jones' on a material level, we miss the fact that far too many Mrs. Jones' are victims of violence in their own homes. No longer can we sit back and accept the argument that domestic violence is a private family matter. It is, without a doubt, a very public crime that offends the core values of this great Nation.

When this issue first came to the forefront ten to fifteen years ago, resources to combat the problem were typically limited to marriage counselors, battered women's shelters, or the dedicated law enforcement official who didn't look the other way or chalk it up to the fact that the Jones' were simply having a bad night. The problem with these band-aid fixes, however, was that a counselor often was unable to fix the root of the problem and women lacked the resources and support to make the break after the reprieve of a shelter stay or a night in lock-up for their abuser.

Over the last decade I have also seen a tragic consequence that all too often is ignored in the traditional dialogue on domestic violence. I speak of the tragedy that results when children witness acts of domestic violence.

The juvenile courts in Georgia are filled with delinquents who are themselves victims, having learned how to be a bully by watching their parents. As adults, these innocent witnesses become abusers themselves, having learned how to beat their wife at Daddy's knee.

As Chief Prosecutor in Georgia, I have taken a strong stand against domestic violence, both for the victims who walk among us with physical scars and those who will carry their emotional scars as they grow up with our children's children. In my

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Across a Woman's Lifespan: The Commonwealth Fund 1998 Survey of Women's Health, May 1999.

[5] Domestic Violence is primarily a crime against women and their children. Women are 5 times more likely to be victims of intimate partner violence than men. From the U.S. Department of Justice, Female Victims of Violent Crime, December 1966.

[6] Approximately 4.8 million intimate partner rapes and physical assaults are perpetuated against U.S. women annually compared to approximately 2.9 million intimate partner physical assaults against U.S. men annually. Shepard, M. & Pence, E. (1998). The Effects of Battering on the Employment Status of Women. Affilia, Vol. 3. No.2. P. 58.

[7] Two thirds of elder domestic abuse and neglect victims are women. From Violence by Intimates, Bureau of Justice Statistics Factbook, 1998.

[8] Hospital emergency department data indicate that women are about 84 percent of those seeking hospital treatment for intentional injury caused by an intimate assailant. From Rennison, C & Welchans, S. (2000). *Intimate Partner Violence.* U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics Special Report. May, p. 2.

[9] One out of 3 women in the hospital emergency rooms at any given time are there because of domestic violence. From the website *http://www.hsph.Harvard.edu/ats/Aug11/*. From Nancy Issac and Pualani Enos's report Medical Records as Legal Evidence of Domestic Violence.

[10] Every year domestic violence results in almost 100,000 days of hospitalizations, almost 30,000 emergency department visits and almost 40,000 visits to a physician. From National Coalition Against Domestic Violence, 1993.

[11] A survey of battered women who were working at the time that their abuse occurred found that 56 percent of the women surveyed reported that their partners had harassed them at work by telephone and/or in person. From the Family Violence Prevention Fund, 1998.

first term as attorney general, I championed legislation in Georgia that made our State a model in stopping the cycle of abuse. Through the efforts of my office and dedicated members of our General Assembly, we were able to enact the Crimes Against Family Members Act in Georgia. Our legislation provides prosecutors across Georgia with new tools and stiffer penalties to make sure that those who commit acts of family violence are punished for their crimes. For the first time we made it a crime under our State's Cruelty to Children Laws to commit an act of domestic violence in front of a child.

Ending domestic violence and the attendant cycle of abuse is and will remain my number one priority as attorney general in Georgia. However, the problem of domestic violence is not just a crisis in Georgia; its insidious tentacles reach from coast to coast. In response, the National Association of Attorneys General has established its own Violence Against Women Committee, which I am honored to co-chair. This committee has initiated several programs to address the epidemic of sexual assault and domestic abuse against women. We have hosted programs on teen dating violence, date rape drug prosecutions, and batterer intervention around the country. Our committee has published a Violence Against Women Resource Manual for prosecutors to use in intervention, prosecution and prevention, and we created a compilation of case law and legislation from all jurisdictions on sexual assault and domestic violence to provide resources to our colleagues in other States about what works in our own jurisdiction. We have also hosted Violence in the Workplace Meetings between attorneys general and the public and private sector to help find ways to make the workplace safe for victims of domestic violence. In addition, we have closely coordinated with the Justice Department's Violence Against Women Office to insure a coordinated State and Federal response.

The National Association of Attorneys General is also in the midst of preparing a report on child witness to domestic violence. This report, in addition to pinning down the scope of the problem on a nationwide basis, will also contain expert analysis and recommendations for prosecutors and law enforcement agencies across the Nation on new and better ways to assist children that have witnessed domestic abuse. I am proud to say that the National Association of Attorneys General is a leader in the fight against domestic violence, strongly supporting efforts at the State and National level to end the cycle of abuse.

To date, no one has found the magic bullet that will put this societal problem behind us once and for all. Many States, including my own, have found new and innovative solutions that can help stem the rising tide of domestic violence, but this is still a crisis that demands an ongoing commitment from every level of government and law enforcement to make certain that the cycle of violence being created today does not cripple our children's society.

Let me commend Congress for the bold step it took in passing the Violence Against Women Act, and through such action, joining the fight against domestic violence. The grant monies authorized under the Violence Against Women Act have been a godsend to local law enforcement agencies as well as support organizations. We now have additional dollars flowing down to the State and local level supplementing over-stretched local moneys to ensure that needed and beneficial programs receive funding to continue their mission.

Equally important to the States was the creation of the Violence Against Women Office in 1995. It assumed a critical role in our Nation's rally against domestic violence, giving us vision, a sense of direction, a feeling of hope. Created in response to passage of the Violence Against Women Act, this office is recognized by government and victim support groups around the country as a valuable resource on policy and legal issues arising in the domestic violence context.

One of the primary functions of the office, to be certain, has been the administration of grants authorized by the Violence Against Women Act. In Georgia, grants from the Violence Against Women Office have been used across a number of fronts in our continuing fight against domestic violence. One grant went to establish mentoring programs in rural Georgia to facilitate past victims' transitions from a shelter environment to a work environment. In the areas that were targeted, victims had no support structure in place to assist in moving into an independent, productive role in society. Mentors helped past victims with the adjustment from co-dependent abusive relationships to primary bread-winner for their family a non-abusive environment.

Another grant went to the Atlanta Legal Aid Society, which provides legal advice and representation to victims of abuse to help that organization expand its service to Atlanta's booming population of non-english speaking residents. Victims in Atlanta's Asian and Hispanic communities now have access to legal assistance in seeking protective orders that just didn't exist before the grant from the Violence Against Women Office.

And on a State level, grant money from the office has been used to speed the creation of a State-Wide Registry for Protective Orders to faciliate enforcement across all of Georgia's 159 counties. Before this registry, enforcement of protective orders, especially in rural Georgia, was a crap shoot at best. Now, law enforcement has the ability to quickly pull the information necessary to protect both victims and potential victims from any abusive individual.

In talking with my fellow attorneys general, it is clear that similar programs providing essential services in the efforts against domestic violence depend on grants administered through the Violence Against Women Office. In Iowa, grants from the Violence Against Women Office funded project Picture Perfect, an initiative designed to train law enforcement and advocates on how to document physical abuse photographically. This program, targeted for the rural areas of the state, looks to provide invaluable evidence for both prosecutors in seeking appropriate charges against abusers as well as advocates in seeking protective orders to prevent future abuse.

In North Carolina, funding for a domestic violence initiative for Wake Forest University was obtained through the Violence Against Women Office to implement campus-wide protections for battered students. Training for University Judicial Hearing Officers was implemented to educate those in a position to remove predators from campus. In addition, a 24-hour a day crisis response team was set up, and resources were allocated for shelters and alternative housing for victims of abuse.

A grant from the Violence Against Women Office allowed two attorneys experienced in domestic violence caseworker to be administratively assigned to groups that targeted abuse in the immigrant communities in Washington State. The expertise funded by this grant enabled victims in an under-served segment of the population to seek the protections that would allow them to establish their financial independence and maintain their physical well-being.

The involvement of the Federal Government has not been limited to participation by checkbook, however. The Violence Against Women Office has also become a resource that Government and support organizations can turn to on policy or legal issues arising in the domestic violence context. This leadership is worth its weight in gold. An example that arises with increasing frequency concerns the enforcement of protective orders across State lines. Complex issues arise when local law enforcement officials take a complaint from a battered woman whose husband has followed her across State lines. If there are no protective orders currently in place within that jurisdiction, law enforcement is typically placed into a no-win situation of competing stories about the validity and effect of orders that may or may not exist. Legal advocates are forced to scramble to identify jurisdictions where an order might exist and the scope of any existing orders. The pressure is tremendous in these situations when time is of the essence in giving authority and direction to local law enforcement about what steps, if any, they can take to protect a potential victim.

On a daily basis, issues like these arise that may find experience, authority and resources lacking at the local or State level. In the instance of effect and notice of protective orders in a multi-State context, there really is no viable alternative save a strong national presence that can reconcile bureaucratic differences between States and even serve as a potential repository for this life-saving information. It is critical to have a resource at the national level with the expertise and experience in dealing with domestic violence issues that are undisputedly national in scope and effect. A strong, national office with the resources and day-to-day expertise to coordinate and insure a consistent response nationwide and provide policy and training materials for use with law enforcement and advocacy groups alike is a must in order for victims not to fall through the cracks of uncertainty and confusion.

The value of a strong Violence Against Women Office does not end with the Federal resources and expertise that it is able to provide State and local groups. The office has also been a valuable partner to States in helping us forge public/private partnerships to fight domestic violence. In my opinion the fight against domestic violence requires a public-private partnership to make any significant gains. Employers are a vital component of the effort as their attitudes, policies and resources will help determine the likelihood of identifying abuse early, the availability of support and counseling, and the ability of former victims to support their families.

In my State, as well as every State represented on this committee here today, a substantial number of employers are multi-State corporations that set policy for offices in literally dozens of States. When State officials, whether they be attorneys general, governors or legislative leaders approach corporate decisionmakers about adopting model policies or altering existing policies or practices, we are often greeted with, "well, what does Washington have to say on this issue?" Their response will often be based on the importance that they think the decisionmakers in our Nation's Capitol are placing on the initiative. In short, the authority and prestige you afford

a program sends a very powerful message to corporate America and in many instances will determine their participation.

Without the prestige and access afforded an independent Violence Against Women Office, I am truly concerned that many of these public/private initiatives will not happen. If private industry does not get on board and become an active participant in the efforts against domestic violence, individuals will suffer physical and financial harm as a result.

That is why it is so critical that the Violence Against Women Office have the prestige, stature and access envisioned by the Senate legislation. Both Chambers of Congress have recognized that the Violence Against Women Office functions in the lead role at the Federal level in the fight against domestic violence by voting to grant statutory authorization.

The need goes beyond mere authorization and continued existence, however. To assume a meaningful role in helping States and regions with developing working agreements and worthwhile public-private partnerships, the realities of the situation demand that the Director of the Violence Against Women Office be viewed as something more than someone with a large checkbook who reports to someone else overseeing disparate grant programs who reports to an associate attorney general who may, ultimately, pass along information to the attorney general.

We live in a day and age where one out of every three women has suffered abuse at some time in her life. Statistics show that *every year* upwards of three million children witness acts of violence by one parent or partner against another. These times demand leadership and initiative in the struggle against domestic violence at every level of government, from the Municipal Police Department all the way to the Attorney General of the United States. Without a strong policy-setting arm at the national level that can be relied upon for resources and guidance, efforts to end domestic violence for our children, with the same fervor that our parents stamped out Polio for us, will suffer mightily. As we confront the dilemma of domestic violence in the 21st century, one thing is absolutely clear, the situation calls for more leadership and initiative, not less.

I can promise you that attorneys general and law enforcement officials from around the country are doing everything in our power to end the cycle of abuse. I would ask Congress to empower that same commitment and dedication at the Federal level by empowering a strong central voice in the Violence Against Women Office, a voice that not only spends grant dollars, but also helps the States set vital policy in critical times. History will remember us, not by the promises we make, but by the actions we take! No stronger action could be taken.

Thank you, Mr. Chairman and distinguished Senators, for the opportunity to join you today.

Chairman BIDEN. Thank you very much, General. I want to compliment you and, again, Mr. Gwinn. You guys seem to be pretty passionate about this, whether or not there was any federal legislation. You started your unit before we even had the federal legislation. And it is good to see that.

Judge Poppiti, welcome.

STATEMENT OF CHIEF JUDGE VINCENT J. POPPITI, FAMILY COURT FOR THE STATE OF DELAWARE, WILMINGTON, DE

Judge POPPITI. Thank you, Senator.

Chairman BIDEN. I should state at the outset, so there is full disclosure, I consider Judge Poppiti a very close, personal friend, so I do not want anybody to think that I was only nice to him because he is my friend. He happens to be very good at what he does here.

Judge POPPITI. Indeed, we are, and I cherish that friendship, Senator.

Senator the witness will take the stand. And her name is Dejanario Alexis Wade. She is 6 years old, and she likes to be called Deja.

When Deja was 4 years old, she and her 2-year-old brother witnessed the savage murder of their mother by their father in Wilmington, Delaware, on October 3, 1997.

"Deja, you said your mother tried to hide?"
"Mm-hmm."
"What happened after she hid under the bed?"
"He pulled her out. He pulled her out by her arm."
"And then what happened?"
"He stabbed her. He started stabbing my mom."
"What did you do?"
"I yelled 'stop.'"

Mr. Chairman, and to the distinguished members of the subcommittee, on behalf of the over 3 million children each year who witness these horrific lesions of violence, learning its terrible lessons, and carrying its seeds into the next generation, and on behalf of the over 1 million women who are battered each year by their husbands or partners, I welcome the opportunity to speak on behalf of this important piece of legislation.

This legislation will establish a permanent, independent Violence Against Women Office in the Department of Justice.

My friend and former colleague on the National Advisory Council on Violence Against Women, Director Stuart, and I, along with other members of our leadership group, participated in the preparation of a document entitled "Establishing a Permanent Office to Address Violence Against Women." We believed then and I conclude now that a permanent, independent statutory Violence Against Women Office and its Director will reflect the importance that the Congress and the administration place on making the elimination of violence against women a priority of the United States Government and this country.

In President Bush's letter accompanying his proclamation declaring October 2001 as National Domestic Violence Awareness Month, he stated, specifically citing statistics involving violence against women: As a Nation, we must prioritize addressing the problem of domestic violence in our communities each day of the year. We can and must radically reduce and work to eliminate this scourge from our land.

Referencing efforts on the part of federal, state and local governments, community leaders, health care professionals, teachers, employers, friends and neighbors, he said: These collective efforts will contribute to peace in our homes, in our schools, in our places of work, and communities, and will help ensure the future safety of countless children and adults.

We believed then and I conclude now that the establishment of an independent Violence Against Women Office will fulfill one of the yet unrealized expectations of Congress, articulated in the report "Safe Streets, Safe Homes" released by you, Senator, in September of 1999.

We believed then and I conclude now that the establishment of an independent Violence Against Women Office will assure that succeeding administrations continue to embrace and fully implement the provisions of the Violence Against Women Act, honoring the urgent call to action issued by the National Advisory Council on Violence Against Women in July of last year, namely: We must end violence against women.

We believed then and I conclude now that the Violence Against Women Office under the direct supervision of the Assistant Attor-

ney General will solidify policy within the Department of Justice that noncriminal justice services—including civil legal remedies and enforcement, nonlegal victim advocacy services, and other programs—will be an integral part of a coordinated community response.

Moreover, when Attorney General Ashcroft released the Web-based Tool Kit to End Violence Against Women, created as part of our agenda for the Nation, he said: As you know, to end violence against women, we must change our culture, and all facets of society need to play a role.

Attorney General Ashcroft was correct; ending violence against women will require a cultural change and will demand a coordinated community response. I respectfully suggest that the stature of a statutory, independent office is essential to establishing this coordinated community response and policy development.

Mr. Chairman, my good friend Senator Biden, as we speak, in Wilmington, Delaware, a statutorily composed Fatal Incident Review Team is reviewing the murder of Deja's mom.

"What was your mom doing?"

"She was screaming."

"Then what did you do after he stabbed your mom?"

"I stayed in my bed."

"Did you see your mom?"

"Mm-hmm."

"Where was she?"

"She was lying down on the floor dead."

"How did you know she was dead?"

"Because I kept on saying, 'Mom, mom, answer me,' and she wouldn't answer."

"You said that you were trying to talk to her?"

"Mm-hmm."

"And what happened?"

"She wouldn't answer me."

"How did you feel when your mom wouldn't answer you?"

"Lonely and sad."

Senator Biden, the national agenda and its urgent call to action must be trumpeted and not muted. The President's call for a Coordinated Community Response and the Attorney General's call for a change of culture collectively compel the government to pass your critically important legislation and create a statutory, independent Violence Against Women Office with the stature that such a commitment deserves.

I have submitted the rest of my remarks for the record.

Thank you so much, sir.

[The prepared statement of Judge Poppiti follows:]

TESTIMONY BY CHIEF JUDGE VINCENT J. POPPITI, FAMILY COURT, STATE OF DELAWARE

The witness will take the stand her name is Dejanario Alexis Wade—she's six (6) years old, and she likes to be called Deja. When Deja was four (4) years old she and her two (2) year old brother witnessed the savage murder of their mother by their father in Wilmington, Delaware, on October 3, 1997.

Q. Deja, you said [your mother] tried to hide?

A. Mm-mmm.

Q. What happened after she hid under the bed?

A. He pulled her out by her—by her arm.

Q. And then what happened?
A. He stabbed her, started stabbing my mom.
Q. What did you do?
A. I yelled "stop."
Mr. Chairman—distinguished members of the Subcommittee,

- On behalf of the over three (3) million children each year who witness these horrific lesions of violence learning its terrible lessons and carrying its seeds into the next generation; and
- On behalf of the over one (1) million women who are battered each year by their husbands or partners;

I welcome the opportunity to speak in support of S. 570, which would establish a permanent Violence Against Women Office in the Department of Justice. My friend and former colleague on the National Advisory Council on Violence Against Women, Director Stuart and I, along with other members of our leadership group participated in the preparation of a document entitled "Establishing a Permanent Office to Address Violence Against Women."

We believed then and I conclude now that:

- A permanent statutory Violence Against Women Office and its Director will reflect the importance that Congress and the Administration place on making the elimination of violence against women a priority for the United States government and for the country.

We believed then and I conclude now that:

- The establishment of the Violence Against Women Office will assure that succeeding Administrations continue to embrace and fully implement the provisions of the Violence Against Women Act—honoring the urgent call to action issued by the National Advisory Council on Violence Against Women in July of last year—namely, "We Must End Violence Against Women."

We believed then and I conclude now that:

- The Violence Against Women Office under the direct supervision of the Associate Attorney General will solidify policy within the Department of Justice that non-criminal justice services (including civil legal remedies and enforcement, non-legal victim advocacy services and other programs) will be an integral part of a Coordinated Community Response.

Moreover, when Attorney General Ashcroft released the web-based Tool Kit to End Violence Against Women—created as part of our Agenda for the Nation—he said, "As you know, to end violence against women we must change our culture, and all facets of society need to play a role."

In President Bush's letter accompanying his proclamation declaring October 2001 as National Domestic Violence Awareness Month he stated—specifically citing statistics involving violence against women—"As a Nation we must prioritize addressing the problem of domestic violence in our communities each day of the year. . . . We can and must radically reduce and work to eliminate this scourge from our land. . . ." Referencing efforts on the part of federal, state and local governments; community leaders, health care professionals, teachers, employers, friends and neighbors, he said, "These collective efforts will contribute to peace in our homes, schools, places of work and communities and will help ensure the future safety of countless children and adults."

We believed then and I conclude now that:

- The establishment of the Violence Against Women Office will fulfill one of the yet unrealized expectations of Congress-articulated in the Report, "Safe Streets, Safe Homes" released by the Chair in September of 1999.

Attorney General Ashcroft was correct, ending violence will require a change of culture and will demand a Coordinated Community Response, and I respectfully suggest that the stature of a statutory office is essential to establishing this Coordinated Community Response and policy development.

Mr. Chairman as we speak, in Wilmington, Delaware a statutorily composed Fatal Incident Review Team is reviewing the murder of Deja's mom.

Q. What was your mom doing?
A. Screaming.
Q. Then what did you do after he stabbed your mom?
A. I stayed in bed.
Q. Did you see your mom?
A. Mm-mmm.
Q. Where was she?
A. Laying down on the floor dead.
Q. How did you know she was dead?
R. How did you know she was dead?
A. Because I kept on saying, "Mom, mom, answer me," and she wouldn't answer.

Q. You said that you were trying to talk to her?
A. Mm-mmm.
Q. And what happened?
A. She wouldn't answer me.
Q. How did you feel when your mom wouldn't answer you?
A. Lonely and sad.

Senator Biden, the National Agenda and its urgent call to action must be trumpeted and not muted, the President's call for a Coordinated Community Response and the Attorney General's call for a change of culture, collectively compel the government to pass your critically important legislation and create a statutory Violence Against Women Office with the stature such a commitment deserves.

Mr. Chairman, I would be remiss if I didn't take the opportunity to report to you on the impact that Violence Against Women S.T.O.P. Formula Funding has had on citizens in your home state. I attach for the sub committee's review a spreadsheet detailing each Agency which received S.T.O.P. funds, the total amount of the funding, the program description and the Delaware Implementation Committee's view of program impact.

Violence Against Women Act funding in Delaware has provided an opportunity for both the expansion of existing programs and the introduction of innovative new programs offering direct services to domestic violence and sexual assault victims.

Violence Against Women Act funding has enhanced existing services to improve Delware's criminal justice system in many ways; it allows the entry of protection orders in real time, creating a database immediately accessible to officers on the street; it puts advanced evidence collection technology in the hands of domestic violence officers; it enables more effective prosecution of perpetrators; and it places translation services within an immigrant community to break down barriers that have traditionally hindered, even prevented, battered women's attempts to leave violent homes.

We are erasing the boundaries among agencies to provide a continum of seamless service delivery to victims of domestic violence and sexual assault in Delaware.

We are also erasing the boundaries of our vision of service delivery for victims of domestic violence and sexual assault in Delaware. This funding has provided incentive for agencies, even those that did not apply for or receive Violence Against Women Act funding, to consider next steps and to envision potential for domestic violence victim's service delivery and how we can reach that goal. This type of support and innovation, in addition to the core staff training, coordinated state-wide strategic planning, and technological advancements, is critical to the forward movement of treating victims of domestic violence and sexual assault, as well as in preventing future victimization in Delaware.

In addition to making it possible for Delaware to have advocacy programs in each of the Family Courts and expanding shelter services, the funding also provides for legal representation in civil matters and provides for a broader, case management approach to serving victims of domestic violence.

We fund much-needed statewide domestic violence training for law enforcement and judicial officers. While the need for ongoing training on this issue exists, Violence Against Women Act funds enable all current state law enforcement and judicial officers to have a core of knowledge about domestic violence that can more easily be augmented in the future.

The reaction to our training has been encouraging:

"The training was 'nothing short of enlightening—I was on the edge of my chair."—James G. McGiffin, Jr., Executive Director, Community Legal Aid Society, Inc.

"The strategic planning sessions themselves have been a benefit. It has been a great process to learn what's needed from service providers."—Patricia M. Blevins, Vice-Chair, Domestic Violence Coordinating Council, Violence Against Women Act implementation Committee.

"The [Violence Against Women Act] grants Delaware has received for law enforcement training have united the law enforcement efforts of an entire state in combating domestic violence and abuse. Every police officer, probation and parole officer, animal control, victim advocate and child protective worker has been trained at the same time table with one common goal—save lives and hold the batterer accountable."—Sgt. Gerry Donovan, New Castle Police Department.

"I never expected the level of quality and time that was given. I thought that I would be just a face in the crowd. I was wrong. The [Domestic Violence Advocacy Center staff] are angels."—Project participant, Domestic Violence Advocacy Center.

"I'm so glad there are people like you there to help the abused, no matter what type of abuse it is. Thank you so much!"—Project Participant, Hispanic Case Management Program.

"They were there to help, listen and care for your well being. Its such a relief to know someone cares and is willing to take a step to help."—Evaluation by program participant Domestic Violence Advocacy Center.

While Delaware has been ready and willing to accept a call to action to End Violence Against Women. S.T.O.P. Formula Funding has assured our ability to do so. The establishment of a permanent Violence Against Women Office assure that efforts in our state and across the nation are carried forward over time.

When we in the National Advisory Council on Violence Against Women began to develop an Agenda for the Nation we did so at the call of the Director of Violence Against Women Office with the expectation that office did so on behalf of the Attorney General of the United States Department of Justice and the Secretary of the United States Department of Health and Human Services.

I would like to close my testimony in support of S. 570 by borrowing and paraphrasing some words from our Agenda:

A statutory Violence Against Women Office would be a tribute to those who have worked tirelessly to bring the issue of violence against women to our public consciousness, and most especially to the victims and survivors of domestic violence, sexual assault and stalking. A statutory Violence Against Women Office would serve to honor those whose work in crisis programs, within the justice system, and in health care and social service agencies helps victims recover and find safety. A statutory Violence Against Women Office would serve to applaud business and labor leaders, educators, religious and spiritual leaders, policymakers and others who have demonstrated their commitment to ending violence against women by developing needed policies, protocols, and programs in communities throughout this country. A statutory Violence Against Women Office would serve to commend those men and women who have taken a public and private stand against violence. A statutory Violence Against Women Office would permit the urgent call to action necessary to change our culture and end Violence against women; to be sounded from the highest levels of the government of the United States of America.

Chairman BIDEN. Thank you, Judge, for that very compelling testimony.

Lynn, welcome.

STATEMENT OF LYNN ROSENTHAL, EXECUTIVE DIRECTOR, NATIONAL NETWORK TO END DOMESTIC VIOLENCE, WASHINGTON, DC

Ms. ROSENTHAL. Mr. Chairman, on behalf of the National Network to End Domestic Violence, I want to thank you for inviting us here today to share our views on the critical role of the Violence Against Women Office.

And, Senator Biden, I particularly want to thank you for your 1992 report, "Violence Against Women: A week in the Life of American Women." This report, which graphically described more than 200 incidents of domestic and sexual violence committed in just 1 week of just 1 year had a very profound impact on my personal commitment to the work of ending violence against women.

And many times over these past 10 years, I have gone back to that report whenever I need inspiration and guidance in continuing this very difficult work.

So it is with this report that I begin today.

September 1, 1992, 12:45 a.m., in rural California: A woman with five children is physically abused by her husband. He punches her in the head with his fist. She sustains bruises. She escapes and runs to a friend's house for the night. She reports that she is afraid to call the sheriff, because her husband threatens to take their 11-month-old baby away.

What is different today for this woman and countless women all across the country because of the Violence Against Women Act? Because of VAWA, we know that hundreds of law enforcement officers

have been trained in the dynamics of domestic violence. Because of VAWA, we know that legal assistance is available to victims who have had that devastating fear that they may lose custody of their children. Because of VAWA, more women are reaching out for help, seeking shelter, obtaining protective orders, and being treated with dignity and respect by law enforcement officers and others in the system.

It was VAWA's critical focus on victim safety and offender accountability that created this dramatic change in our culture. And it was also the very important role played by the Violence Against Women Office.

The Violence Against Women Office was first established as a high-level office within main Justice. And within weeks of being appointed as its first Director, Bonnie Campbell was inundated with requests from national and international leaders, state and local government officials, to come out to their states and to their communities and help them with their strategies to end violence against women.

These images of leadership greatly inspired those of us on the front lines, because we had been working for many years with limited resources and lack of public attention to the bruised and bleeding women sitting in front of us every single day.

VAWA also took on the equally important challenge of coordinating the interagency work that VAWA mandated. The truth is that Violence Against Women Act was never about just the money. It was never about just the money. It created new federal crimes. It established protections for battered immigrant women. It required states to honor each other's protective orders. And most importantly, it brought people together to the table who had never been together before to create multidisciplinary responses to end violence against women.

The number of agencies and offices required to carry out these responsibilities is stunning. VAWA's mandates encompass the U.S. Attorneys Office, the INS, the FBI, the Department of Health and Human Services, the Civil and Criminal divisions of Department of Justice, even HUD, Labor, and Department of Defense.

If VAWO had not been there in the beginning in this high-profile status, it is hard to imagine how implementation of the Violence Against Women Act would have even begun.

When Violence Against Women Office was housed in main Justice, the Director and her staff were able to work with other components of the Department of Justice and other federal agencies to develop comprehensive policies for implementation. Providers in the field and on the front lines welcomed this leadership.

When Violence Against Women Office moved to the Office of Justice Programs, the responsibilities of the office became more and more focused on the technical aspects of grant-making and less on the policy issues that emerge in these complex programs. This trend seems to be continuing, and it is a cause for great concern among advocacy groups.

If you remember that the services provided by the Violence Against Women Act operate in the context of a complex system of federal, state, local, and tribal laws, it is easy to see why policy development is just as important as grant-making.

For example, in a number of grant programs, states must certify that their laws, policies, and practices discourage the arrest of both parties. Grantees must also certify that their jurisdictions do not allow the issuance of mutual protective orders. These requirements are not just check marks on a grant application. They are critical issues related to victim safety and offender accountability, the cornerstones of the Violence Against Women Act.

Although we have made great strides in some ways, in others our work is just beginning. It is important now more than ever that the Department of Justice provides the leadership and guidance, the inspiration and the policy support, for the work of local and state domestic violence and sexual assault advocates.

I want to join with others in commending the leadership of Diane Stuart as the Director of the Violence Against Women Office. When I first became the director of the National Network, one of my very first trips was out to Utah to visit with Diane.

So it is not the people in the Violence Against Women Office that we are concerned about. It is the structure that is imposed upon those very, very, very good people.

This is really a question of moral leadership. And it is only through this leadership that sometime in the future we will know for certain that a week in the life of American women is no longer a week filled with violence.

Thank you very much.

[The prepared statement of Ms. Rosenthal follows:]

TESTIMONY OF LYNN ROSENTHAL, EXECUTIVE DIRECTOR, NATIONAL NETWORK TO END DOMESTIC VIOLENCE

Mr. Chairman and members of the Subcommittee, on behalf of the National Network to End Domestic Violence, thank you for providing me with the opportunity to share with you our views on the critical role of the Violence Against Women Office. The National Network is a network of statewide domestic violence coalitions around the country, who in turn represent more than 2,000 local domestic violence shelters and programs, and hundreds of thousands of battered women and children.

In particular, I want to thank you, Senator Biden, for your landmark report "Violence Against Women: A Week in the Life of American Women" prepared by the Senate Judiciary Committee.[1] This report, a snapshot of the lives of women across the country, graphically described 200 incidents of domestic and sexual violence that occurred in just one week of one year. This report had a profound impact on my personal commitment to ending violence against women, and many times over the past ten years I have returned to this report when I have needed inspiration and guidance to continue this important and often difficult work. It is this report that I begin with today.

September 1, 1992 12:45 a.m.: Rural California—"A woman with five children is physically abused by her husband. He punches her in the head with his fist. She sustains bruises. She escapes and runs to a friend's house for the night. She reports that she is afraid to call the sheriff because her husband threatens to take their 11-month old baby."[2]

September 1, 1992 late afternoon: Maine—"A woman in her early twenties is thrown out of her trailer home by her boyfriend as her two sons, ages two and three, watch. Bruised and cut she attempts to leave with her sons. The two-year old child is taken from her by her boyfriend and she is ordered to leave and threatened with further violence. She departs her home with one of her children, but does not contact the police."[3]

What might be different today for these women and countless like them because of the Violence Against Women Act? Because of VAWA, hundreds of police officers

[1] Violence Against Women: A Week in the Life of America," Senate Judiciary Committee, October 1992 (hereinafter Senate Report).

[2] Id. at 26.

[3] Senate Report at 28.

have been trained in the dynamics that keep women trapped in violent relationships. These officers now play leadership roles in efforts to end domestic violence within their communities. Because of VAWA, legal assistance is available for women facing devastating fear of losing custody of their children to perpetrators. Because of VAWA, more women are reaching out for help, seeking shelter, obtaining protective orders and are being treated with dignity and respect by law enforcement officers and others in the system. It was VAWA's critical focus on victim safety and offender accountability that brought about these important changes in our culture.

In retrospect, Congress conceived a brilliant formula for successful implementation of VAWA. Congress provided the states with critical funds and policy direction through the state formula grants and discretionary programs such as the pro arrest grants, rural, tribal, legal assistance to victims, research and training and technical assistance programs that collectively comprise the Violence Against Women Act.

But there is another partner to thank in this work, a partner who often works quietly but tirelessly to ensure that intent of Congress and the needs of victims are never forgotten as the day-to-day work in the field continues. That partner is the Violence Against Women Office.

First established as a high-level Office in Main Justice with full access to the policy-making and implementation functions of the Department, VAWO and its expert staff created a national awareness about the impact of violence against women that had never existed before. Within weeks of being appointed as the first director of VAWO, Bonnie Campbell was inundated with requests for help and technical expertise from the national and international leaders. Governors called, asking VAWO to help them plan statewide strategies for addressing domestic violence, sexual assault, and stalking. Leaders in government from other countries asked VAWO to share the U.S.'s groundbreaking legislation and methods with them. The Director of VAWO was a leader of the U.S. delegation to the U.N. World Conference on Women in Beijing.

These images of leadership greatly inspired the work of those of us on the frontlines, many of whom had been struggling for many years with limited resources and lack of public attention to the bruised and bleeding women we were seeing in our programs every day. The vision of a Presidentially appointed, highly placed spokesperson galvanized the work at the state and local level. State and local legislators and policy makers were impressed with the strong commitment shown by the Department of Justice to ending violence against women, and were inspired to become leaders themselves in this battle.

The work of advocates at the state and local level was made easier and more effective because VAWO took on the equally important challenge of coordinating the interagency work that VAWA mandated. Congress' vision for ending violence against women was broad. VAWA created numerous grant programs in DOJ that required coordination with the grant programs in HHS, created new federal crimes, established new federal immigration rights, required states to honor each other's protection orders, established standards for the local issuance of protection orders and arrests of perpetrators of domestic violence, sexual assault, and stalking, and required state and local communities to come together in multidisciplinary efforts to develop policy and strategies for dealing with violence against women.

The number of agencies and offices required to carry out these substantive responsibilities is stunning. VAWA's mandates impact the U.S. Attorneys' Offices, the INS, the FBI, HHS, the Civil and Criminal Division of DOJ, even parts of HUD, Labor, and the Department of Defense. Leadership was needed to coordinate these far-reaching implementation efforts, and VAWO stepped ably into that role, convening the National Advisory Council (an unprecedented public and private partnership of business, government, and public service sectors) and working with the various federal entities charged with the work of implementing VAWA. If VAWO had not been there, it is hard to imagine how the demand for federal and state coordination, leadership, and policy guidance could have been met.

When VAWO was housed in Main Justice, the director and her staff were able to work with other components of DOJ and other federal agencies to develop comprehensive policies regarding the implementation of VAWA. For example, the Full Faith and Credit Provision of VAWA 1994 simply said that states shall honor protective orders across state lines. The plain language of this provision did not explain how a state would know another state's protective order is valid, nor did it say whether or not a state must establish a protective order registry to implement this law. These are the practical concerns of turning a visionary law into a reality. VAWO led a collaborative effort that included the DOJ Office of Policy Development and the Executive Office of the U.S. Attorneys to develop practical policy guidelines that make it possible for all states, territories and tribes to make good use of the Full Faith and Credit Provision of VAWA.

When VAWO moved to the Office of Justice Programs, the responsibilities of the Office became more focused on the technical aspects of grant making and less on the policy issues that emerge in building programs that address victim safety and offender accountability—the cornerstones of VAWA. This trend seems to have continued under the new administration, and is cause for great concern. Although we have made great strides in some ways, in others our work is just beginning. Our need for a vigorous, proactive Violence Against Women Office has not diminished.

The tremendous needs and gaps uncovered by VAWA in 1994 led to its reauthorization in 2000, and the work at the state and local level has become more, not less, complex. VAWA requires the criminal and civil justice systems to work together with community services. VAWA funds prosecutors, courts, law enforcement, victim services, community-based assistance programs, tribal governments, and state coalitions. This broad range of professionals in turn serves victims and survivors living in rural towns and large urban cities, as well as immigrant, disabled, and older victims of abuse. VAWA grants provide needed services in communities of color and communities of faith. And all of these services are provided in the context of a complex system of federal, state, local, and tribal laws.

Addressing all of these mandates, understanding all of these laws, and reaching all of these communities is a tough challenge on the state and local level. Now more than ever, we need an active, high-profile Violence Against Women Office to help establish baseline standards for this increasingly complex work, and to provide consistent interpretations as to how the mandates of VAWA are to be met.

We need an office staffed with program managers and policy analysts that have subject matter expertise, not just grant-making skills. Three examples of VAWA programs speak vividly to this need for the combined functions of grant-making and policy analysis within the same office. First, the Legal Assistance for Victims Program grantees might well call VAWO to ask for assistance in developing appropriate screening and conflicts protocol, or for help in developing policies to implement the new funding mandate that civil legal assistance be provided to sexual assault survivors. This new area of law requires guidance not simply on allowable expenses of a grant, but on what the civil legal needs are of such victims, and what challenges to expect in crafting these new programs. It takes a policy analyst familiar with these complicated issues to give the right answers or know how to find them. The lives of sexual assault survivors all across the country will be dramatically impacted by the answers to these questions.

Second, jurisdictions receiving Grants to Encourage Arrest funding need to know how the VAWA 2000 amendments to the Full Faith and Credit mandate of VAWA 1994 will impact their program practices. For example, states must certify that its laws, policies and practices do not require victims to bear costs associated with prosecution, filing, registration or service of a protective order. This requires not just grant managers who know the paperwork needed to meet the certification requirements, but policy experts who know how to craft changes in state law and policies to come into compliance with this new requirement.

Grantees of the Grants to Encourage Arrest and Enforce Protection Orders program must also certify that their jurisdictions do not allow the issuance of mutual protection orders. If there is no legislative opportunity to satisfy this funding condition, grantees will turn to VAWO for expert guidance on alternative ways to be in compliance. A policy analyst must be available to speak to the various ways this requirement can be met, whether through changes in court rules or administrative memorandums. What may seem a technical certification requirement is so much more than a checkmark on a grant application. Requiring states to prohibit the issuance of mutual protective orders as a condition of funding is about fulfilling the intent of VAWA to make systemic changes in the way states respond to critical issues of victim safety. We need look no farther than the recent highly publicized protective order case in Kentucky to know the importance of such requirements.[4]

Finally, the new immigration rights and procedures created by VAWA are numerous and complex; grantees of all the VAWA programs need technical assistance to help them understand when critical immigration issues arise and how grantees can best help immigrant victims of domestic violence, sexual assault, and stalking. This

[4] In the case of *Harrison* v. *Harrison*, the judge fined a woman for having contact with her abuser after a protective order was issued against him. In doing so, the judge erroneously ruled that a protective order issued against an abuser can be treated like a mutual protective order if the victim has contact with the abuser. Such a ruling would also violate VAWA prohibitions on the issuance of mutual protective orders. *See Harrison* v. *Harrison*, 2002-CA-000609, Ky. App. *See also* John Cheves, "Judge fines women who return to their alleged abusers," Lexington Herald-Leader, January 3, 2002.

work must be done very carefully. The lives of whole families are in danger—this really is a matter of life and death.

It is more important than ever that the Department of Justice provides leadership and guidance, inspiration, and policy support for the local and state work on domestic violence, sexual assault, and stalking. Now, more than ever, states need a strong Violence Against Women Office. It is only through this leadership that we one day will know for certain that week in the life of American women is no longer a week filled with violence.

Chairman BIDEN. Thank you very much, and I thank you for all your work, Ms. Rosenthal. You have been doing it a long time.

Welcome. We are anxious to hear what you have to say, and the floor is yours, Ms. Ekstrand.

STATEMENT OF LAURIE E. EKSTRAND, DIRECTOR OF JUSTICE ISSUES, U.S. GENERAL ACCOUNTING OFFICE, WASHINGTON, DC

Ms. EKSTRAND. Thank you very much. These are very tough testimonies to follow.

Chairman BIDEN. They are, but I just want to make it clear that your testimony is very important, because all of our collective hard work to gain public support for the expenditure of the monies, which I thank Lynn for pointing out is the least important part—important, but the least important part—of this, will not be sustained unless we are doing it in a efficacious way. So we are anxious to hear what you have to say.

Ms. EKSTRAND. Thank you very much. I appreciate being invited to testify today about our recent work concerning the Violence Against Women Office. This work is specifically related to the Violence Against Women Office discretionary grants program and is part of a recent body of work concerning monitoring and evaluation of grants by a number of units within the Office of Justice Programs.

Let me start with our findings concerning monitoring. Monitoring activities are intended to help ensure that the funds awarded to grantees are being spent as intended. As Senator Grassley indicated, we reported in November 2001 that grant files for discretionary grants awarded by the Violence Against Women Office often lacked the documentation necessary to ensure that the required monitoring activities occurred.

Our recent review of a representative sample of grant files active in fiscal years 1999 and/or 2000 showed that, first, grant files did not always contain requisite grant monitoring plans, and when the plans were present, little evidence was in the file to show that the plan was followed.

In addition, a substantial number of grant files did not contain progress and financial reports sufficient to cover the entire grant period.

And finally, grant files did not always contain the required closeout documents.

This lack of monitoring documentation hampers the Violence Against Women Office's ability to systematically determine staff compliance with monitoring requirements and, perhaps even more important, to measure overall performance.

In short, we concluded that neither the Office of Justice Programs, the Violence Against Women Office, nor GAO, can deter-

mine the level of grant monitoring performed by grant managers. We recommended that the Violence Against Women Office assess the causes of the problems and take steps to resolve them.

Now let me turn to impact evaluations. In March of this year, we reported on the results of our review of Violence Against Women Office impact evaluations. During fiscal years 1995 through 2001, the National Institute of Justice awarded about $4 million for five Violence Against Women Office discretionary grant program evaluations that were intended to measure their impact.

Our in-depth review of three evaluations that had progressed beyond the formative stage showed that all three had methodological problems that raised concerns about whether they would produce definitive results.

Specifically, Violence Against Women Office sites participating in the impact evaluations had not been shown to be representative of their programs. This limits the evaluators' ability to generalize results.

Also, the lack of appropriate comparison groups or other means to minimize the effect of factors that are external to the program jeopardize the ability to interpret the results.

And finally, data collection problems and analytical problems were also evident.

We recommended that the Attorney General direct the NIJ Director to review the two Violence Against Women Office impact evaluations that were in their formative stages and to take steps to ensure that they achieve usable results.

The Department of Justice officials have responded to our reports on both monitoring and evaluation, indicating that they are committed to making improvements.

Both the Violence Against Women Office and the Office of Justice Programs have cited reorganization plans and a new management information system as a foundation for improvements in grants management, including improvements in monitoring and evaluation.

These can be valuable tools for change, but they are only as good as the management that wields them. Commitment to improvement and oversight are needed to ensure progress.

Mr. Chairman, this concludes my oral statement. I have submitted my full statement for the record, and I would be happy to answer any questions you might have.

[The prepared statement of Ms. Ekstrand follows:]

United States General Accounting Office

GAO

Testimony

Before the Subcommittee on Crime and Drugs, Committee on the Judiciary, U.S. Senate

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VIOLENCE AGAINST WOMEN OFFICE

Problems with Grant Monitoring and Concerns about Evaluation Studies

Statement of Laurie E. Ekstrand, Director, Justice Issues

GAO-02-641T

Mr. Chairman and Members of the Subcommittee:

Thank you for inviting me to testify about our recent work concerning the Violence Against Women Office (VAWO). This work has specifically focused on monitoring activities and impact evaluations related to VAWO's discretionary grant programs and is part of a body of recent work concerning monitoring and evaluation of grants by a number of Office of Justice Program's (OJP) bureaus and offices. Monitoring and evaluation are the activities that identify whether programs are operating as intended, whether they are reaching those that should be served, and ultimately whether they make a difference. In other words, these are major elements of assessing results. Our recent work has shown a need for improvement in VAWO grant monitoring and in the evaluations that are intended to assess the impacts of VAWO programs.

Background

VAWO was created in 1995 to carry out certain programs created under the Violence Against Women Act of 1994.[1] The Victims of Trafficking and Violence Prevention Act of 2000 reauthorized most of the existing VAWO programs and added new programs.[2] VAWO's mission is to lead the national effort to end violence against women, including domestic violence, sexual assault, and stalking. VAWO programs seek to improve criminal justice system responses to these crimes by providing support for law enforcement, prosecution, courts, and victim advocacy programs across the country. In addition, programs are to enhance direct services for victims, including victim advocacy, emergency shelter, and legal services. VAWO also addresses violence against women issues internationally, including working to prevent trafficking in persons. VAWO is one of seven program offices and five bureaus in OJP.[3]

VAWO's discretionary grant programs have grown substantially since its inception in 1995. Data provided by OJP showed that, between fiscal years

[1]Title IV of the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322).

[2]P.L. 106-386.

[3]OJP's five bureaus are Bureau of Justice Assistance, Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, and Office for Victims of Crime. OJP's seven program offices are American Indian and Alaska Native Affairs Desk, Violence Against Women Office, Executive Office for Weed and Seed, Corrections Program Office, Drug Courts Program Office, Office for Domestic Preparedness, and Office of Police Corps and Law Enforcement Education. Appendix I shows OJP's current organizational structure.

1995 and 2000, the yearly number of VAWO discretionary grant awards increased about 362 percent—from 92 in fiscal year 1996, the first full year of funding, to 425 in fiscal year 2000. In addition the yearly dollar amount of VAWO discretionary grant awards increased about 940 percent—from just over $12 million in fiscal year 1996, the first full year of funding, to about $125 million in fiscal year 2000. Appendix II shows the number of yearly VAWO discretionary grant awards for fiscal year 1995 through fiscal year 2000. Appendix III shows the dollar amount of VAWO discretionary grant awards, adjusted to constant fiscal year 2000 dollars, over the same period.

Problems with VAWO Discretionary Grant Monitoring

The monitoring of grant activities is a key management tool to help ensure that funds awarded to grantees are being properly spent. In November 2001, in response to a request by Senators Grassley and Sessions, we reported that grant files for discretionary grants awarded by VAWO often lacked the documentation necessary to ensure that the required monitoring activities occurred.[4] Our review of grant files for a representative sample of VAWO discretionary grants active in all of fiscal years 1999 and/or 2000 showed that:

- VAWO grant files did not always contain requisite grant monitoring plans. When monitoring plans were in the files, grant managers did not consistently document their monitoring activities, such as site visits, according to the plans they developed.
- A substantial number of VAWO grant files did not contain progress and financial reports sufficient to cover the entire grant period, contrary to OJP guidelines. Furthermore, VAWO grantee progress and financial reports were often submitted late by grantees. These reports are an important tool to help managers and grant monitors determine if grantees are meeting program objectives and financial commitments.
- VAWO grant files did not always contain the required closeout documents—key documents by which OJP ensures that, among other things, the final accounting of federal funds have been received.

We also found that, because documentation about monitoring activities was not readily available, VAWO was not positioned to systematically determine staff compliance with monitoring requirements and assess

[4]U.S. General Accounting Office, *Justice Discretionary Grants: Byrne Program and Violence Against Women Office Grant Monitoring Should Be Better Documented*, GAO-02-025 (Washington, D.C.: Nov. 28, 2001).

overall performance. Although VAWO officials said that they met with grant managers weekly to discuss any grant problems or monitoring issues, VAWO did not (1) have an overall system to track monitoring activities, other than site visits and (2) appear to be routinely using OJP-wide data on late progress reports and financial reports. Furthermore, the lack of systematic data associated with program monitoring activities and the documentation problems we observed raised questions about whether VAWO was positioned to measure its performance consistent with the Government Performance and Results Act (GPRA) of 1993. Specifically, we pointed out that, in DOJ's Fiscal Year 2000 Performance Report and Fiscal Year 2002 Performance Plan, DOJ failed to recognize the serious limitations associated with inconsistent documentation and the lack of systematic monitoring data in measuring whether VAWO was achieving its goals for formula and discretionary grants—especially since the Report and Plan stated that VAWO would rely on grant monitoring data to measure its performance.

We concluded that neither OJP, VAWO, nor GAO can determine the level of monitoring performed by grant managers as required by OJP and the comptroller general's internal control standards, which call for documentation of all transactions and other significant events to ensure that management directives are being carried out.[6] We recommended that VAWO review why documentation problems occurred and take steps to resolve these problems.

Too Early to Gauge Efforts to Resolve Grant Monitoring Problems

VAWO and OJP officials have acknowledged that they need to take steps to resolve some of the problems associated with grant monitoring, but it is too early to tell if these steps will be effective. For example, in response to our report, the assistant attorney general said that VAWO had begun to develop both an internal monitoring manual that would include procedures for developing monitoring plans using a risk-based assessment tool. They also said they have developed a management information system that will eventually track the submission of progress and financial reports. Furthermore, while we were developing our report, VAWO officials said that they were not satisfied with the performance measures they used to gauge their performance under GPRA because they did not believe they are meaningful for measuring program outcomes. They said that they are working with other OJP officials and an outside contractor to

[6] U.S. General Accounting Office, *Internal Control: Standards for Internal Control in the Federal Government*, GAO/AIMD-00-21.3.1 (Washington, D.C.: Nov. 1999)

develop new measures and hope to have them available for the fiscal year 2003 performance plan.

It is also important to note that VAWO's efforts to address grant monitoring problems need to be viewed in the context of OJP efforts in this area. Our recent related reports discussed grant monitoring problems at other OJP organizations, such as the Bureau of Justice Assistance (BJA) and the Office of Juvenile Justice and Delinquency Programs (OJJDP)[6], and pointed out that, over the last few years, we and others, including OJP, have identified various grant monitoring problems among OJP bureaus and offices. We discussed how OJP had begun to work with bureaus and offices to resolve some of the problems it and others have identified, including OJP efforts to develop an automated grants management system as a way to standardize and streamline the grant process.

Our report concluded that OJP efforts to automate the grant management process, particularly in regard to grant monitoring, holds some promise if OJP takes steps to ensure that all monitoring activities are consistently recorded and maintained in a timely manner. We also said that current and future efforts will be futile unless OJP and its bureaus and offices, such as VAWO, periodically test grant manager compliance with OJP requirements and take corrective action when needed to enforce those requirements. We recommended that OJP (1) study and recommend ways to establish an approach to systematically test or review grant files to ensure consistent documentation across OJP and (2) explore ways to electronically compile and maintain documentation of monitoring activities to facilitate more consistent documentation, more accessible management oversight, and sound performance measurement.

In January 2002, in response to our report, the assistant attorney general said that OJP agreed that it needs to develop more consistent documentation of monitoring activities. She said that among other things, OJP has created a chief information officer position charged with planning and implementing an agencywide grant management system. According to the assistant attorney general, the new system is envisioned to produce reports in response to informational requests, provide information pertaining to grantees and all resources provided by OJP, and maintain

[6]U.S. General Accounting Office, *Juvenile Justice: OJJDP Reporting Requirements for Discretionary and Formula Grantees and Concerns About Evaluation Studies*, GAO-02-23 (Washington, D.C.: Oct. 30, 2001).

information from the opening to the closing of a grant award. Although the assistant attorney general said that OJP will consider the comptroller general's internal control standards in taking these steps, it is unclear whether the new system will include the full range and scope of monitoring activities carried out by grant managers in VAWO and other OJP organizations.

Concerns About Evaluation Studies of VAWO Discretionary Grant Programs

We have also recently issued a report on work undertaken for Senators Grassley and Sessions that addressed the methodological rigor of impact evaluations of three VAWO discretionary grant programs.[7] During fiscal years 1995 through 2001, the National Institute of Justice (NIJ) awarded about $4 million for five VAWO discretionary grant program evaluations that were intended to measure the impact of the VAWO programs.[8] Our in-depth review of the three program evaluations that had progressed beyond the formative stage showed that all three had methodological problems that raised concerns about whether the evaluations will produce definitive results.

More specifically, our report stated that, although program evaluation is an inherently difficult task, in all three VAWO evaluations, the effort was particularly arduous because of variations across grantee sites in how the programs are implemented. Our concerns about these efforts included problems with both evaluation design and implementation. In particular, VAWO sites participating in the impact evaluations had not been shown to be representative of their programs, thereby limiting the evaluators' ability to generalize results. Further, the lack of nonprogram participant comparison groups hindered evaluators' ability to minimize the effects of factors that are external to the program and isolate the impact of the program alone. While in some situations, other means (other than comparison groups) can be effective in isolating the impact of a program from other factors, in these evaluations, effective alternative methods were not used. In addition, data collection and analytical problems (e.g.,

[7]U.S. General Accounting Office, *Justice Impact Evaluations: One Byrne Evaluation Was Rigorous; All Reviewed Violence Against Women Office Evaluations Were Problematic*, GAO-02-309 (Washington, D.C.: Mar. 7, 2002).

[8]Impact evaluations are designed to assess the net effect of a program by comparing program outcomes with an estimate of what would have happened in the absence of the program.

related to statistical tests, assessment of change) compromised the evaluators' ability to draw appropriate conclusions from the results.

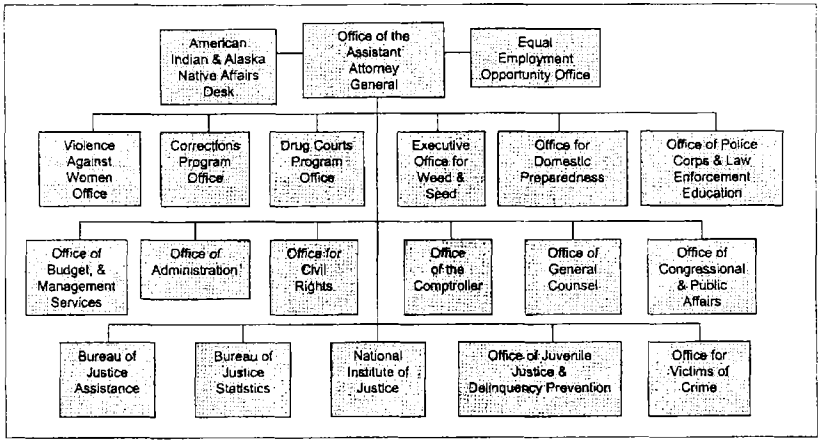
We concluded that, despite great interest in assessing the results of OJP's discretionary grant programs, it can be extremely difficult to design and execute evaluations that will provide definitive information. We further concluded that, given that NIJ spends millions of dollars to evaluate OJP grant programs, including those within VAWO, more up-front attention to the methodological rigor of these evaluations will increase the likelihood that they will produce meaningful results for policymakers. We recommended that the attorney general direct the NIJ director to assess the two VAWO impact evaluations still in the formative stage to address any design methodology and implementation problems and, on the basis of that assessment, initiate any needed interventions to help ensure that the evaluations produce definitive results. We further recommended that the director of NIJ be instructed to assess its evaluation process to develop approaches to ensure that future impact evaluation studies are designed and implemented to produce definitive results. The assistant attorney general commented that she agreed with the substance of our recommendations and has begun or plans to take steps to address them. It is still too early to tell whether these actions will be effective in preventing or resolving the problems we identified, but they appear to be steps in the right direction.

In summary, since its inception, VAWO has grown substantially both in terms of the number of discretionary grants awarded and dollars awarded for those discretionary grants—increasing the importance of ensuring that its grantees are achieving intended results. Unfortunately, the lack of good data from monitoring activities and impact evaluations leaves us with very little basis to assess program results. Both VAWO and OJP have indicated a commitment to making improvements, citing reorganization plans and the anticipated management information system as the foundation for improved grants management, including improvements in monitoring and evaluation. But, reorganization and management information systems are only tools and are only as good as the management that wields them. Commitment to improvement and oversight are needed to ensure progress.

Mr. Chairman, this concludes my prepared statement. I would be pleased to answer any questions that you or other members of the subcommittee may have.

For further information regarding this testimony, please contact Laurie E. Ekstrand or John F. Mortin at (202) 512-8777. Individuals making key contributions to this testimony included Wendy C. Simkalo, Jared A. Hermalin, and Chan My J. Battcher.

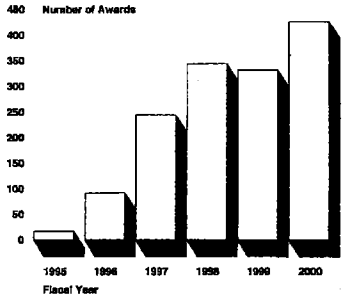
Appendix I: OJP Organization Chart



Note: The organization chart is current as of March 2002.

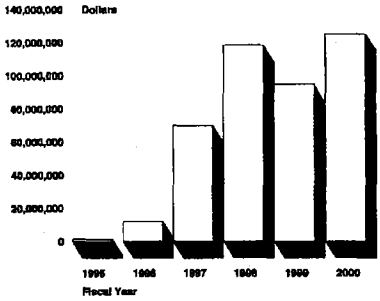
Source: Prepared by GAO based on OJP documentation.

Appendix II: Number of Yearly VAWO Discretionary Awards, Fiscal Years 1995–2000



Source: OJP Office of the Comptroller.

Appendix III: Dollar Amount of VAWO Discretionary Awards, Fiscal Years 1995–2000



Note: The award amounts for each fiscal year are adjusted to constant fiscal year 2000 dollars.

Source: OJP Office of the Comptroller.

Chairman BIDEN. Doctor, am I pronouncing your name correctly? Is it Ekstrand?

Ms. EKSTRAND. Ekstrand.

Chairman BIDEN. Ekstrand. Thank you very much.

Mr. Gwinn, again, thank you for being here. I know you came a long way. But I also know your passion for this, so it probably was not as long a trip as it would be for some.

STATEMENT OF CASEY GWINN, CITY ATTORNEY FOR SAN DIEGO, SAN DIEGO, CALIFORNIA

Mr. GWINN. Thank you, Chairman Biden. And I bring greetings from George Mitrovich, the president of the City Club in San Diego, where I, actually, shook your hand a number of years ago.

Chairman BIDEN. I remember meeting you a long time ago. I think I hold the record for speaking at the City Club more than anybody else. George is hard to say no to.

Mr. GWINN. Well, he ropes a lot of us into being members, too. And we do not like it at the time, but we are very happy to be there, because of the people he brings to challenge us.

Chairman BIDEN. Thank you. Good to see you again.

Mr. GWINN. Seventeen years ago, I was a new prosecutor in San Diego and, as is true still in much of the country today, was assigned to handle domestic violence cases, because young, inexperienced prosecutors were being given those cases in 1985.

I was approached by three feminist advocates from shelters in San Diego, who came to my office in 1985 and said, "You do not know what you are doing in the handling of domestic violence." And the only thing that I can possibly take credit for over the last 17 years is that at that time I said, "You are right. I have no idea what I am doing in the handling of domestic violence."

And that became both friendships and partnerships between the shelter movement and prosecutors in San Diego, as we began to listen to survivors of domestic violence and as we began to listen to those who were most impacted by violence and abuse, and started building our policies and procedures accordingly.

Over the last 17 years, what has distinguished our work and the work of many jurisdictions around the country has been collaboration and partnership. The challenge, I believe, still today is building that critical mass in social change theory; it is bringing everybody together.

And I want to thank you, Senator Biden, for your leadership. In 1994, when the Violence Against Women Act passed, it was a massive shot in the arm for shelters and providers all over the country, who had been working for many years without any federal funding and desperately needed the Federal Government and the United States Senate and Congress to say, "This matters, and this should be at the top of our agenda." And I want to thank you for your continued advocacy, even in this hearing today, which puts it on the radar screen.

And sadly, perhaps in part because of the events of September 11th, this issue has not been on the national radar screen, as it needs to be even this very day.

I am here to speak in support of virtually everything in the legislation that is before you today. I strongly support the idea of a

presidential appointment. I strongly support the idea of Senate confirmation for the Director of the Violence Against Women Office. I strongly support the idea of statutorily creating the office and making that statement. And I strongly support a lot of the language in both the Senate version and the House version that delineates the priorities and the responsibilities that should be given to the Violence Against Women Office.

The only issue, Senator Biden, that I guess part ways with some here on is this issue of separation. It is with great respect that I say that I do not believe that a separate office is the end-all and the be-all.

I believe that, nationally, we are moving more and more toward collaboration. In San Diego last week, we just founded the San Diego Family Justice Center. Our goal is to be one of the first comprehensive one-stop shops in the country to bring together all services from all disciplines for victims of family violence.

Chairman BIDEN. What is it called?

Mr. GWINN. It is called the San Diego Family Justice Center.

In phase one, we will have 120 professionals housed together in downtown San Diego—all the police officers, all the detectives, all the prosecutors, victim advocates, legal advocates, forensic medical professionals. We are going to bring in a number of federal agencies. We will have probation officers. We are bringing in 20 social service organizations from the community and a number of battered women shelters.

The goal is to bring everybody together, to get the synergy. We are all dealing with all the same families, and we are all dealing with the same children. We need to be talking to each other and communicating.

So it is both to get that synergy and it is to protect victims. We have identified victims telling their story in our system today more than 30 times, when they are Child Protective Services, and they are in battered women shelters, and they are with police officers, and they are with prosecutors, and they are in front of judges and probation officers, and they are dealing with housing issues and employment issues and school issues. And over and over and over, victims have to tell their story, in a system that deeply cares, with a lot of specialized professionals now developing, in part, out of the Violence Against Women Act, which is providing that call for specialization, for people focusing on the issue of violence against women and sexual assault issues.

But out of that experience of ours in San Diego has come my strong feeling that the issue is: How do we collaborate more? How do we bring more people together? How do we pull more people in?

Our phase two goal in our justice center is to bring child abuse professionals and elder abuse professionals, to bring in all of those that deal with juvenile delinquency issues, because, as the judge and the attorney general so eloquently articulated earlier, this is generational violence, as you well know. This is the cycle of violence. This is Exodus 20. This is the sins of the parents visited upon the children, to the third and the fourth generation. This is the cycle we are battling in America. And it pops out everywhere, whether it is homeless issues or it is juvenile delinquency or it is child abuse or sexual assault, whether it is school performance

issues or whether it is how the medical community is dealing with this.

So I believe the big question is, how do you pull everybody together to do that? And I know that very committed people disagree about this, and it may well be that a separate office is the best way to do that. But my personal sense is that we need to elevate the status of this, as you are doing here, which I greatly support. This legislation, in whatever form, will elevate the status of the Violence Against Women Office and the priority of this issue.

But I am concerned about removing this from the Office of Justice Programs when I see how much we interact with our drug court, how much we interact with so many other programs that are part of Justice that need to be part of the infrastructure of what we are doing.

So that is why I am here today, to support your focus on this issue. I came at the request of Senator Grassley in relation to the whole issue of accountability, which I also strongly believe we need to be addressing, and I came in support of the notion that I believe that we can do much of this without necessarily creating a separate, independent office.

I deal regularly with parts of OJP as a trainer. I am connected to the technical assistance programs. I have been in 45 states in the last 10 years doing training on domestic violence, and I work closely with those programs. I work with the Bureau of Justice Statistics and the National Institute of Justice. And I believe that the National Institute of Justice, just as one example, needs an incredibly close working relationship with the VAWA office, incredibly close, because the National Institute of Justice has such power in making statements about policy and making statements about direction and doing research that tells us where to go.

And finally, Chairman Biden, I would just like to also commend Diane Stuart. I knew Diane Stuart before she became the head of VAWA. I knew her in Utah; I have done training in Utah. And I can tell you that I know I echo the sentiments of hundreds and hundreds of folks all over the country in saying that we are thrilled to have her in the role that she is now in. She is doing tremendous work already in reinvigorating the VAWA office and is doing tremendous work in exciting us around the country about where we are going.

So I thank you for the opportunity to be here today. I have submitted written testimony, and I, too, am happy to answer any questions. But thank you for your leadership.

[The prepared statement of Mr. Gwinn follows:]

TESTIMONY OF CASEY GWINN, SAN DIEGO CITY ATTORNEY

He was in jail for his violence and abuse of his girlfriend. His girlfriend had done battle with alcohol and drugs during the course of their relationship. I went to his daughter's high school to interview her after he was arrested for abusing and then stalking his girlfriend. His daughter was 16 and had lived with violence in the home her entire life—first violence toward his first wife and then violence toward his girlfriend. His daughter had witnessed it all. His daughter had at one point reported sexual abuse and then recanted it. She was hospitalized on at least one occasion as a suspected suicide attempt a few years after her Mom died.

Now, I sat and tried to help her during the course of prosecuting her father for violence, stalking, illegal weapons possession, and death threats, but she said only one sentence at the beginning of a 45-minute meeting. She said, "My dad told me

you would be coming." After that, no matter what the question, the only visible response was one tear rolling down her right cheek as a counselor and social worker tried to get to her to talk about all she had seen and experienced. By then, the family was dealing with Child Protective Services, the Juvenile Court, hospital emergency room personnel, psychologists, school authorities, the Criminal court, the Police Department, the Sheriff's Department, the Probation Department, a host of social service agencies, and countless coaches, teachers, friends, and neighbors.

I prosecuted him last summer and came away more determined than ever to pursue multi-disciplinary efforts against domestic violence that bring together prevention and intervention professionals to address not just domestic violence but child abuse, weapons possession, drug abuse, alcohol abuse, sexual abuse, juvenile delinquency, social service protocols, court protocols, medical protocols, prosecution policies and procedures, and law enforcement policies and procedures. The need for the domestic violence movement to work closely with so many related professionals was never clearer to me than it was after recently handling the criminal prosecution of Michael Shields in San Diego, California.

Good morning and thank you for the opportunity to speak to the pending legislation before you today. I am here to support the growing need for coordination, collaboration, and multi-disciplinary partnership in addressing domestic violence prevention and intervention issues across the country. I strongly support the spirit of both the Senate and House resolutions regarding the Violence Against Women Office (VAWO). On behalf of many in San Diego and around the country, thank you for your advocacy and leadership over many years in the effort to stop domestic violence. Senator Biden, I bring greetings as well from my dear friend, George Mitrovich, the leader of the City Club in San Diego.

Over the last 17 years, I have been honored to be a part of the national domestic violence intervention and prevention movement. I began prosecuting domestic violence cases in 1985 and ran one of the largest specialized domestic violence prosecution units in the nation from 1986–1996. In 1993, the National Council of Juvenile and Family Court Judges chose the San Diego City Attorney's Domestic Violence Unit as the model prosecution unit in the nation for the handling of domestic violence cases. Since 1986, I have been privileged to serve on the faculty of the National College of District Attorneys and have trained police officers, prosecutors, judges, and advocates in 45 states and two American Territories. Through the collaboration of many, San Diego has seen a 75 percent drop in domestic violence homicides over the last 15 years. We now have one of the lowest domestic violence homicide rates of any major city in America. And we have been greatly encouraged over the years by the support of the Violence Against Women Act and all that has followed from it.

I am here this morning to support every aspect of both the House and Senate version of the Department of Justice Appropriations Authorization Act, except taking the Violence Against Women Office out of the Office of Justice Programs. There is a tremendous need to elevate the status of the work of the VAWO and to reinvigorate a national focus on the importance of domestic violence issues. The legislation before you today, with minor changes, will move us forward in that effort and the House version can assist as well in that effort. But I do not believe that isolating the VAWO away from the many related programs within the Office of Justice Programs will be beneficial in any way.

It is fair to say that today, across the country, those of us in the domestic violence field are moving toward greater and greater inter-disciplinary coordination with law enforcement, with the medical community, with juvenile justice programs, with researchers in the field of domestic violence and with social service agencies working in neighborhoods where domestic violence is often reported. Each of these types of collaborations is facilitated within the current structure of the Office of Justice Programs. I know I speak on behalf of many who have nothing but praise and support for the work of Diane Stuart since she became the Director of the VAWO. She is building relationships within a structure that allows her to collaborate with so many others who are crucial to the success of the domestic violence movement.

Last week, in San Diego, we founded the San Diego Family Justice Center, one of the first comprehensive "one stop shop" approaches in the country to providing services to battered women and their children. One vision is to bring together all those who provide prevention and intervention services to victims into one location. The goal is to save victims countless hours and pain in traveling from agency to agency for support services while increasing the efficiency and effectiveness of our intervention work through the close collaboration of all those who work with victims of family violence and their children. In Phase I, our vision is to bring together domestic violence professionals including police officers, detectives, prosecutors, legal advocates, victim advocates, medical professionals, probation officers, social service

agencies, and others who currently provide services to domestic violence victims. In Phase II, within the next five years, our vision is to bring together child abuse, elder abuse, sexual assault, and juvenile crime professionals along with researchers who evaluate outcomes from specialized domestic violence intervention.

Our Family Justice Center clearly points us toward the greatest need of the domestic violence movement nationally—to develop multi-disciplinary approaches to reducing family violence. Domestic violence advocates cannot stand alone. We need to build relationships with all those who touch the lives of domestic violence plagued families. The trend is not to isolate the domestic violence issue but to integrate it with so many other programs that need to understand domestic violence issues in order to address them properly.

I urge support for elevating the visibility of the VAWO through its statutory creation, for enhancing the final grant authority of the Office, for making the Director's position a Presidential appointment with Senate confirmation, and for enumerating the powers and responsibilities of the Director as described in H.R. 2215. But I urge you not to remove the VAWO from OJP as the Senate legislation anticipates. It would damage the very real and very positive progress that Diane Stuart is currently making in bringing together so many parts of OJP that support the work of VAWO. I, and many others, fear that in making a strong political statement about the importance of VAWO such a legislative enactment would undermine the power and influence of VAWO in making positive change around the country.

Thank you for your leadership in our work against domestic violence and for your on-going advocacy for the needs of victims of domestic violence and their children. And thank you for your consideration of my testimony today.

Chairman BIDEN. Thank you.

The entire statements from each of you as formally written will be placed in the record, in addition to the statements that you have made.

Let me say that, interesting enough, Case, Judge Poppiti and you, in a strange way, perform similar functions in your communities.

In our case, much of the organizational effort has been through Chief Judge Poppiti. In your case, much of the effort has been through the prosecutor's office.

The Family Justice Center, I suspect, is partially your brainchild. I do not know that for a fact, but I would assume that.

And so the reason I cite that is that what is essential, even though there are two different mechanisms that have become the de facto coordinating entities—and it may very well be the same in Georgia; I do not know enough to know, General—they have one thing in common, and that is they are focusing on abuse. That is, as I understand it, you look out there and you look at the abused community. In this case, it is women and children that you focus most on.

And the consequence, as you said, Exodus 20 is a great way to characterize it, the sins of the parents being visited upon the children. And you are looking at it through a prism of how do we deal with reducing, eliminating violence and/or ameliorating the effects of it when it occurs at the hand of a man striking or worse a woman.

And so there are so many different other aspects of the criminal justice and social support structure that need to be brought to bear to deal with that. There ends up being some place, whether it is an individual in a community because of his or her passion, and the ability to be able to use the office they hold to be the magnate that draws all those people together, or because of some bureaucratic—and I do not mean that in a negative sense—bureaucratic structure that accommodates that.

I want to make it clear: My concern with the Office of Justice Programs is, their primary responsibility is to deal with things that Dr. Ekstrand has to look at for us. And that is, is the money they distribute being properly awarded, monitored, and efficacious? And they have a whole bunch programs within their division.

The organizational chart—I thought we had these blown up, and I apologize.

Do we have any extra copies of these? Bring them down and hand them to the witnesses, if you have them.

If you look at the OJP organizational chart, there are all these boxes in here. Now, there are a lot of very important functions. There is the American Indian and Alaskan Native Affairs Desk. There is the Equal Employment Opportunity Office. Then, under the Office of Assistant Attorney General, is the Violence Against Women Office, Corrections Program Office, Drug Courts Office.

And I am going to make a case here. I am the guy that wrote the law on drug courts federally, which we copied from the State of Florida and other states. I am not making the case that drug courts should be in a different category. Just so you all know, not everything that I had something to do with am I suggesting be standing out here as a separate entity.

Also is the executive office of Weed and Seed, the Office of Domestic Preparedness, the Office of Police Corps and Law Enforcement Education, the Office of Budget and Management Services, the Office of Administration, the Office for Civil Rights, the Office of the Comptroller, the Office of General Counsel, the Office of Congressional and Public Affairs, the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime.

Now, they are all within that same OJP organizational chart. Now, I do not care how brilliant and how good and how profound the leader of that office is. That is an awful lot.

As we have all been saying, one of the important pieces of this is to make sure that the profile of violence against women is up there with the drug fight we are fighting, up there with law enforcement effort we are making in terms of the number of cops in America, et cetera. It has got to, in my view, the profile piece.

I was not being facetious when I said I learned a long time ago—and it applies not just to women's issues; it applies to every issue—if you want to know how important a thing is, show me where it is in your organizational chart. Show me where it is. Show me whether or not this is the thing that makes your heart beat. Show me this is the thing that really makes it move.

And my problem with this is not the caliber of the people here, but the ability, for example, when you are within this office, one of the things you cannot do in this town, as a Director of the office, and I agree the Director is first-rate, and I am not being solicitous. I sincerely mean that.

She cannot now, like she could in the previous administration, walk down the hall and knock on the Attorney General's door and say, "General, what the hell are we doing here? Why are we doing this? What the heck are we doing? Why are we doing this?"

You cannot do that. There are certain things you do not do in a bureaucracy as big as the Justice Department or any other bureaucracy.

The person who is buried in a chart in your office and you have a big office, General, is not going to be able to walk, figuratively speaking—if you just take a look at the numbers, this is how these charts would sort of line up, okay? They kind of line up like this, if you look at all the boxes, okay?

This person here, which is the Violence Against Women Office, which finds itself in this box here, which finds itself in this box here, cannot, figuratively speaking—picture it like you are walking up steps. You cannot walk that high up in the building to get to here.

But guess what? If you are sitting right here, and you have got one step, two steps, you can get to the door. You can get to the door.

That is why I fought so hard for the COPS program to be in a different spot.

By the way, every administration has the same instinct, okay? Although I think that the last administration, mainly because of the woman who ran it, it was in her gut—and I am not suggesting John Ashcroft does not care as much. He does. He does care about violence against women. I served with John for a long time. I do not doubt it for a second.

But my problem is that it matters where you are in the chart.

Now, the Office of Family Justice Center, you may not have the Violence Against Women Office running that, but it is all about focusing on abuse. That is the whole purpose of setting that office up. And it is about specialization.

This is the opposite of specialization. This means that you do not have specialists within this office being the ones who are deciding whether or not we maybe should take a different direction. Maybe a study comes out of Florida State——

[Laughter.]

Chairman BIDEN [continuing]. Maybe a study comes out of lesser universities, like Yale——

[Laughter.]

Chairman BIDEN [continuing]. Maybe a study comes out of—I mean this sincerely.

Think of all the independent work that is being funded. Think of all of the foundations that are now getting it.

The attorney general talked about public-private partnerships. Because of the women's movement in this country embracing this, they are going to everyone from the Ford Foundation to the Rand Corporation and saying, "Hey, take a look at this." Now where does that go?

Where does that go? It goes into this office, which is in these bunch of boxes. Then that gets fitted into this box in this office. And that gets fitted into this box in this office.

I sound like I am trying to make fun of this. I am not. I am really not. That is the last intention I have.

But I have found—maybe I have worked in this town too long.

Let me summarize this and then go to specific questions.

Remember you said, Casey, when you got in the office and you all of a sudden headed up in your attorney general's office—is it attorney general or DA?

Mr. GWINN. It is actually the City Attorney's Office.

Chairman BIDEN. The City Attorney's Office. And all of a sudden you had the violence against women, because you were the least experienced guy.

Just like, as a public defender, I got to defend the Black Panthers right out of the box. I mean, that was a great start, you know what I mean? You know, no one else wanted it, right? And when you work for the big law firms and before we had the Legal Aid Society and we had the public defenders office, used to be, as the judge will remember—we are contemporaries—that the large offices would take a turn, round-robin, taking the criminal cases for indigents. And they would go to the least qualified guy in the office—me, a member of the bar two days—and get complicated cases. Well, you did the same thing in a different context.

Now, as a young Senator, I had the same experience. I got here. I was 29 years old, got sworn in a couple days after, a month after, I turned 30. And there was a big fight going on—it was on the front pages of every newspaper in America—at the White House. And it was about Mr. Ehrlichman and Mr. Haldeman. It had nothing to do with Watergate. It had nothing to do with Watergate.

It had to do with who was going to get the office closest to the President—literally, not figuratively. It was not a joke. And there was this great fight.

And I remember thinking to myself, as a young, idealistic Senator, newly elected and eschewing not bureaucracy but probably organization charts—I came out of that generation which we thought that was a burden, which I was wrong about.

But any rate, I remember looking at that and saying, "How ridiculous. This is one of the reasons I ran. These guys down here are so hidebound."

And now I am chairman of the Foreign Relations Committee, and I was chairman of the Judiciary Committee. And guess what I found out? Whoever is the last guy the President speaks to is the single most powerful person in the government. And it matters, if you have the office next to the President. I promise you. I guarantee you.

Why are National Security Advisors so much more important, in terms of influencing the President, than the Secretaries of State, who are generally more qualified or higher profile? Their office is in Foggy Bottom. Every morning, every morning, the National Security Advisor walks in and talks to the President.

Think of your own office. Whoever is the person closest to you may not be the single most informed person, but when you are about to make the decision, you have 6,000 things on your plate, the last person you see has a tremendous impact.

Well, not only figuratively but literally speaking, if you do not have the clout to walk across the hall, to walk up one floor, to make the case, if not to the Attorney General, to the Deputy Attorney General, the number two person, or at least the Associate Attorney General, then you don't get very far.

So, Case, that is my problem. I think you and I are saying the same thing. But I am not looking for a fight, because this is one of those few cases where every witness is basically unified on this. Republican, Democrat, we did not used to have it that way. Only seven Republicans voted for this sucker when it first came up. I will put this in perspective here, okay? Now it is everybody's love child, and that is wonderful. It is wonderful.

So we have a consensus now. The question is, how do we make it work most efficiently?

I am going to start in reverse order, and I will take only about 15 more minutes of your collective time. Maybe 25. [Laughter.]

But let me start with you, Doctor.

I want to make sure I understand. You reviewed approximately 85 out of 635 files, right?

Ms. EKSTRAND. That is correct.

Chairman BIDEN. Okay. Did you look at any other office documents during your review, other than the discretionary grant files in your study?

Ms. EKSTRAND. No doubt we had other general documents. But related to specific grants, we looked at the files, the official files for those grants.

Chairman BIDEN. Right. Now, did you speak to the grantees about the adequacies of the office's monitoring? You had the file.

Ms. EKSTRAND. No, sir, we did not.

Chairman BIDEN. I am not suggesting you should have. I just want to make sure I understand. This is not meant as a criticism. I just want to make sure I understand.

You know that old saw: The devil is in the details. I want to make sure I fully understand it.

Ms. EKSTRAND. We did not interview grantees.

Chairman BIDEN. Did you speak to the office employees about their monitoring abilities? Not just whether they checked the right boxes; it is more than that. Did you talk to the office employees?

Ms. EKSTRAND. We spoke to a wide variety of employees at the office, yes, as part of the job.

Chairman BIDEN. Okay. Now, in your November 2000 report, which concluded the office was not actually monitoring grants, that was the conclusion you reached, was it not?

Ms. EKSTRAND. We concluded that the office was not adequately documenting monitoring activities, so it is hard to tell how much monitoring actually goes on.

Chairman BIDEN. Right. That is the important distinction I want to make, that this was strictly about maintaining the files, correct?

Ms. EKSTRAND. It is about maintaining the files.

Chairman BIDEN. Let me put it another way, in layman's terms. It is about being able to pick up a file, look at the grant, and determine with any certainly whether or not it was monitored. You look at the file and you can see they did not monitor. The file does not indicate whether or not there was any monitoring.

Ms. EKSTRAND. The file does not indicate whether they are monitoring or not.

Chairman BIDEN. Right.

Ms. EKSTRAND. That is correct.

Chairman BIDEN. Now, there is nothing in your 2001 report that spoke about grant waste, fraud or abuse, is there?

Ms. EKSTRAND. We did not look for nor did we find waste, fraud or abuse.

Chairman BIDEN. Okay, now, what in your report are the steps taken by the office to address the file issue? Your report also recognized that there was an explosion in the number of grants administered by the office, a 362 percent increase, according to your testimony, and that the office was not prepared for this unprecedented growth.

Indeed, on page 2 of your testimony for today, you note that the yearly dollar amount of discretionary Violence Against Women Office grant awards went from $12 million in 1996 to $125 million in 2000. Is that right?

Ms. EKSTRAND. Yes. That is correct.

Chairman BIDEN. Now, as I read page 4 of your testimony for today, it goes into a great detail about the GAO recommendations to the Office of Justice Programs to improve its monitoring process. That is correct, is it not?

Ms. EKSTRAND. Yes.

Chairman BIDEN. For example, you advise the Office of Justice Programs to study its in-house file system and create a new chief information officer position. Is that correct?

Ms. EKSTRAND. We were not as specific as that. They indicated that those are some of the actions that they would take to try to correct the problems that we found.

Chairman BIDEN. I see. And, indeed, none of these recommendations on page 4 of your testimony are aimed at the Violence Against Women Office. They are aimed generically at the Office of Justice Programs, correct?

Ms. EKSTRAND. Yes. But we did look at the Violence Against Women Office specifically, and their performance in relation to monitoring was, in fact, no better than the other offices.

Chairman BIDEN. Right.

Now, turning to your most recent report, "Justice Impact Evaluation": One Byrne evaluation was rigorous. All Violence Against Women Office evaluations were problematic of March 2002.

Again, I want to make sure that we all understand exactly what was under consideration and what the GAO report concluded.

In this study, your office looked at the impact evaluations by the department of the National Institute of Justice. Is that correct?

Ms. EKSTRAND. That is correct.

Chairman BIDEN. The National Institute of Justice was tasked with examining the Violence Against Women Office grants and determining the impact of the grants. Is that correct?

Ms. EKSTRAND. That is right.

Chairman BIDEN. Again, to be clear, these evaluations of the grant programs were designed and operated by the National Institute of Justice, not by the Violence Against Women Office, correct?

Ms. EKSTRAND. That is exactly right.

Chairman BIDEN. Okay. What the National Institute of Justice ran into, and what you recount in your report, are some of the inherent difficulties in evaluating domestic violence grants, because

there is no appropriate comparison group and each grant location is unique. Is that correct?

Ms. EKSTRAND. That is right.

Chairman BIDEN. And to that end, your report recommends that the National Institute of Justice reexamine its methodologies. And, in fact, none of the report's recommendations are aimed at the Violence Against Women Office. Is that correct?

Ms. EKSTRAND. In relation to evaluation, the recommendations are for NIJ.

Chairman BIDEN. Yes. Okay, now, let me shift quickly, and I am delighted that the single biggest supporter of this legislation just walked in the door. I might point to all of you, even when we were at a point where we were cutting budgets, the gentleman from Pennsylvania was the guy in his capacity on the Appropriations Committee that made sure, in the subcommittee he runs, that we did not fail to fund what the act called for. And I thank him for that. So I do not want to take a lot more time.

But let me move to you, if I may, General. Can you give me a sense of what kind of help Georgia gets from the Violence Against Women Office, both in terms of grants and public policy?

Mr. BAKER. Well, obviously, the money side is of tremendous support to us. We get grant money from the VAWA office. We use those dollars to support essential programs at the State level, whether they are support programs to help victims of domestic violence and sexual assault or whether they are dollars to support training of law enforcement. We use those dollars in a very, very meaningful way.

But I would tell where we have seen the most help, and it is sort of an intangible, and that is, when we see the support and the direction and the leadership coming out of the national office, it has a tremendous impact on what we are able to do at the State level.

Chairman BIDEN. One of the things that the Senator and I—and he was a leader in this, Senator Specter—in a completely different area, talking about juvenile justice, we talked about this notion of repeat offenders. He has been way out in front of this for two decades or longer, three decades.

Senator SPECTER. Four decades.

Chairman BIDEN. Four decades. Well, I was not here for the fourth of those decades, but three of the four of I was hanging out with him.

Senator SPECTER. I became an assistant DA in 1959, when you were in high school. [Laughter.]

Chairman BIDEN. That is exactly right. I was a sophomore going into my junior year, and I was delighted you were doing the work.

But all kidding aside, here is where we were. We found, for example, that we wanted a national office. We concluded that the one thing the Federal Government can do better than any single state is gather up all the resources around the country, bring in the best people, examine the problem, and make recommendations that states could pick and choose from as to whether or not they are applicable.

That is one of the functions that I have always pictured the Violence Against Women Office providing, that policy piece.

And I would like to shift to you, in the interest of time, Judge, if I may. Can you highlight any instances where the federal influence was critical in getting the right state leadership to the table to tackle the issue of domestic violence?

Judge POPPITI. Senator, maybe the best way to describe that is to describe the former Director walking into a room in Washington and having the Attorney General of the United States and the Secretary of the Department of Health and Human Services have a discussion that ultimately filtered down to the states.

Chairman BIDEN. You mean the former Director? You mean the former person who headed the Violence Against Women Office?

Judge POPPITI. Yes. That is not to suggest that the present Director would not have done that.

Chairman BIDEN. Right.

Judge POPPITI. But with the stature of that office, that filter provided the impetus and the backdrop for states like Delaware to say to its doctors, "It is important for you to have a unified procedure in emergency rooms and in dental offices."

It helped Delaware say to its cops, "It is important for you to have a uniform crime report for incidents of domestic violence."

Chairman BIDEN. And these were not grants?

Judge POPPITI. They were not grants. This is the culture change that you have called for.

It permitted Delaware only recently, expecting that the office has not changed, and it has, to have the Governor of the State of Delaware convene her Cabinet and her top-level management, and have the Director of the Violence Against Women Office come to Delaware with the expectation that those people were going to walk out with a message from the Attorney General and from the Secretary of Health and Human Services.

It is the stature. It is the attitude. It is the culture. And as my new friend to my right just said, it permits us to have that kind of conversation with the appropriate people.

Chairman BIDEN. I think that is an important point. The Director did come to Delaware, did she not? She was completely available?

Judge POPPITI. Yes.

Chairman BIDEN. But the Governor and the rest of you in the Cabinet Council, did they get the sense that she was able to speak with any clarity for the Attorney General or for the Secretary?

Judge POPPITI. Well, there is a reservation now. The message, I believe, and I say this unfortunately, it has to be different.

I saw the change in the former Director. When Bonnie Campbell's stature was diminished, you could feel it in the room. The advisory council spent an inordinate amount of hours——

Chairman BIDEN. The National Advisory Council.

Judge POPPITI. The National Advisory Council spent an inordinate number of hours expressing our individual and collective concern about that over time.

We developed, as you know, a tool kit for the Nation. That tool kit was not delivered on time, and I suspect one of the reasons why it was not was we did not have the attention of the Attorney General and the Secretary, because the stature of the office was diminished.

Chairman BIDEN. And this is not just about this administration versus the last administration.

Judge POPPITI. That is correct.

Chairman BIDEN. This is not about that, right?

Judge POPPITI. It is not about that, Senator.

Chairman BIDEN. Now, I am going to ask you one more question. You chair Delaware's Domestic Violence Coordinating Council, which is the entity in Delaware that creates policy, educates the community, improves services for families. It is kind of the collective place without the same authority, necessarily, as I understand what the Honorable Mr. Gwinn is talking about, and that is——

Mr. GWINN. The Family Justice Center.

Chairman BIDEN. Yes.

But what I want to ask you is, are there specific instances where the council that you chair in Delaware has sought out the expertise of the Violence Against Women Office? I mean, are there any times where you have, as the council chair, or your council decided, you better put pen to paper or get on the computer or pick up the phone and contact the Violence Against Women Office, seeking policy advice, not making your grant request?

Judge POPPITI. With each of these cultural changes that occurred in Delaware, I had the opportunity on behalf of the council to have direct contact with the Violence Against Women Office, whether it was with Bonnie Campbell directly or with other members of her staff.

We looked to that office for advice. We looked to that office for counsel. We looked to that office for direction. And we looked to that office to help us pull people from around the Nation to help us do the collaboration that the attorney general suggested.

Chairman BIDEN. Let me shift to your capacity as a judge. Was there any difference between the Justice Department Violence Against Women Coordinating Council when the office was inside main Justice, not a part of Justice Programs? Were you able to see the kind of access that could be arranged inside main Justice to implement the Violence Against Women Act?

And then I will yield to you, Senator.

Judge POPPITI. Senator, maybe the best way to describe that is that one of the first meetings I had the opportunity to have with the present Attorney General before September 11th was to have a discussion with the Attorney General——

Chairman BIDEN. Attorney General Ashcroft.

Judge POPPITI. [continuing]. Yes, sir—with Diane as the chair of our leadership effort, to suggest to him that the stature of the office was as important as the work being done by the office.

My sense is that opportunity to have those kinds of conversations, at the level of the Attorney General's Office or at the level of the Secretary of United States Department of Health and Human Services, may be lost.

It is critically important that it not be lost.

Chairman BIDEN. I yield to the Senator from Pennsylvania.

Senator SPECTER. Thank you very much, Mr. Chairman.

I wanted to stop by—I regret being so late—to signify my support for the legislation to protect women against violence.

This is something that I have noted the need for, for a long, long time. One of the first cases I handled as an Assistant District Attorney when Senator Biden was a junior in high school——

[Laughter.]

Senator SPECTER [continuing]. Involved a woman who had a cut from her right ear all the way down to her hip. And she came into a magistrate's court, where we had hearings within 24 hours, on an event the night before and said she did not want to prosecute. And I explained to her that it was not a matter of her discretion. It was not a case of Mrs. Victim v. Mr. Common Law Villain. It was a case of the Commonwealth of Pennsylvania, and she had to testify.

And from that day on, as a beginning assistant DA, I saw the need to protect women against violence. And when I became DA, one of the initial big programs was the issue of rape, which was not being handled properly. No photographs of women. No brushing for hairs. No maintenance of physical evidence. And women were questioned in a room about this size with 20 detective desks. And when a woman is being questioned about had happened to her the night before, it was like EF Hutton; everybody left what they were doing and started to listen.

And it has been a long time in coming, and Senator Biden has been the leader. And he suggested this legislation to me one day on a train ride from Washington to Wilmington. As he was exiting, I finally had a chance to say that I agree. [Laughter.]

That was one of my larger speaking roles on our frequent travels. [Laughter.]

Chairman BIDEN. Well, do not get carried away now. [Laughter.]

I am only joking. Only joking.

Senator SPECTER. But this is very important legislation. And I am not on the powerful Foreign Relations Committee; I am just on the subcommittee of Appropriations which handles the funding. So every now and then, not the big, worldly issues, but we can do just a little bit.

But I wanted to come by and express my support for what Senator Biden is doing here today. He is the only Senator who carries a hearing past 1:00 when lunch is being served everywhere in the Capitol. [Laughter.]

Thank you, Mr. Chairman.

Chairman BIDEN. Thank you very much.

Let me try to get you people to lunch without too much more time.

Lynn, you state coordinators are out there every single day, and I imagine you get fervent pleas for everything from resources to trying to keep people who have been burned out from getting out of the business of helping.

You folks keep talking about the need for an independent, separate office. I gave you my reasons. Tell me your reasons. I mean, why is it so important to be independent?

You heard the Director say she is independent now. She believes being within the Office of Justice Programs that she is independent.

What do you mean by independent?

Ms. ROSENTHAL. We mean an independent, separate office that really has the clout of the President and the Attorney General right behind them.

And I had the same experience as the judge. When I worked down in Florida and I was a shelter Director at the time and Bonnie Campbell came down to the State and met with the Governor and met with the attorney general and there was a tremendous amount of excitement. There was a sense that this was a watershed moment, that the work was really going to move forward.

And so I would say, number one, it is an issue of that clout. You knew that she was there speaking on behalf of the President of the United States and the Attorney General. You just knew that.

And we saw that diminish without question with this move into the Office of Justice Programs.

Second, from a practical standpoint, probably the best example, the single best example, is what happened with full faith and credit on protective orders. You know, the law simply said that states needed to honor each other's protective orders, but it did not tell them how to do it.

So I was the director of a state coalition at that time, and we were getting inundated with calls from little law enforcement agencies and big sheriff's departments, saying, "We cannot possibly do this. Our legal people say we have all kinds of liability. It is impossible, it is impossible, it is impossible."

And what VAWA did, because it positioned in main Justice, it worked with the Office of Policy Development and the Executive Office of the U.S. Attorney General; it brought people together to develop practical guidelines.

Chairman BIDEN. But it brought them together.

Ms. ROSENTHAL. It brought them together.

Chairman BIDEN. It was the thing that said there is going to be a meeting.

Ms. ROSENTHAL. Yes. Yes.

Chairman BIDEN. There is going to be a meeting. Someone calls the meeting, posts it on the door, says, "Everybody show up," and everybody knew they had to show up.

Ms. ROSENTHAL. Because of the placement of the office, the clout of the office, people showed up.

And VAWO did not just stop there. They then brought state teams together to provide training on practical guidelines to implement full faith and credit. And they sent those teams back home with action plans.

So that is probably the single best example. And the problems on full faith and credit have not gone away. We still need that kind of very high-profile leadership on the part of the Federal Government.

Chairman BIDEN. Well, what about the answer that the Attorney General could be the person to do that now? I am sure some will say, look, okay, you have this office. It does not mean, when it gets to it, that from within the Office of Justice Programs that voice cannot be heard from the Director of that program calling on the Assistant Attorney General, to ask the Associate Attorney General, that the Associate Attorney General should effectively call that meeting, or the Attorney General.

I mean, why will that not work?

Ms. ROSENTHAL. I was in the meeting last summer with a small group of advocates, and Casey was there, who met with the Attorney General. And we felt it was very clear that he has a very profound commitment in his heart to this issue. But he also was very honest with us and said, "Look, I have INS to deal with. I have the FBI to deal with." And this was before September 11th.

And so we know that, as much as he cares about this issue, that the Attorney General calling a meeting on full faith and credit is not likely to happen. But I highly placed Director, presidentially appointed, confirmed by the Senate, highly placed within the office, can call that meeting and have people attend.

Chairman BIDEN. It seems to me the single biggest advantage that Bonnie Campbell had, beyond, I think, her prodigious ability. I mean, I am big fan. I am the one who recommended to Clinton that Bonnie be the one to have the job. Many others did, too. I do not know how many others did, but I know that I was adamant about it. And she met every expectation that I had of her.

We have reached, because of the collective advocacy of some of the people in this room, including the people at the table, we have reached a point where it is highly politically dangerous for a President and an Attorney General, a Governor, not to respond—not to respond—to a call for resolving an issue relating to violence against women. So that coupled with a highly visible post, when even though Bonnie Campbell had no authority over the FBI—I mean Louis Freeh could have said to her, "Take a hike. I am not coming to your meetings." There was no responsibility.

The same with the coordinator for the Justice Department for all the U.S. Attorneys Offices. They could have said take a hike.

But the fact that she was up there, coupled with the issues she was dealing with, if she said, "I kind of think it is important we have a meeting to resolve this little problem," no one was going to say, "No, I am not going to show up to try to resolve the issue of honoring orders across state lines."

And, Case, what I get back to is, I strongly support this quest for collaboration that you are leading in San Diego among the various domestic violence constituencies. But I do not believe that this important goal is in any way inconsistent with my proposal for this strong, independent office.

Indeed, I think that my proposal for creating this autonomous office, reporting to the number three official in the Justice Department, maximizes the likelihood of that collaboration, because there is nobody else within any of these other departments that has this as their number one priority. They all care about it. The National Institute of Justice cares a lot about it and is a very important piece of it. You go down the list of all the various other groups, they care a great deal. The Bureau of Justice Statistics cares a great deal about it, but it is not their number one priority.

And so what I was trying to say to you before, Case, is that what you are setting up in San Diego, whatever you call it, it seems the number one priority is to deal with violence and this kind of violence that has this God awful impact on society, and so you bring in all these folks.

So I want to make it clear to you, because I have such great respect for your effort and for your commitment for the last 17 years or longer, that we are all on the same page in terms of the goal.

But I do not know how it happens, unless there is somebody who, as my dad says, gets up in the morning, puts both feet on the floor, and the first thing they think about, the first thing their job requires is: "What am I going to do today to diminish violence against women?" That is their job. They get up, feet on the floor, they are putting on their dress or their pants or their coat, or maybe in each case both, and they are moving out the door.

That is the place. It is an awful comparison, but it is kind of like in a campaign. You need someone who gets up every morning and the only thing they think about is, "How am I going to get the candidate from point A to point B?" And someone else is thinking, "What is the candidate going to say when they get from point A to point B?" That is all they are thinking about. A third person says, "How are we going to fund this candidate getting from point A to point B?"

I realize that is an unattractive comparison. But it is just somebody who gets up and literally puts both feet on the floor and says, "Okay, what am I doing today? That is my number one job."

And I do not how that happens inside here. Someone is going to get up and say it, the Director is going to say it, but then they have to go to the person running that operation.

Anyway, I do not want to belabor the point. I would like to—I was going to say ask unanimous consent, but there is no one else to ask it of, so I am going to just say what we are going to do here, with your permission—I do not want to overburden you. Other committee members who were necessarily absent today—and by the way, I am going to make a strange statement, but I look at some of the people in the audience who have been with this for so long, like Pat and others.

But the reason why there are not more people here is there is not much disagreement among us here. Sometimes people do not come for one of two reasons. Either A, they do not agree and they think it is a waste of time, what you are doing. Or B, everybody is on the same page and "Joe can do it," or "Arlen can do it," or whatever. It is the latter here. I do not want anybody from the lack of attendance here that there is any diminution in the support here.

I mean, this reorganization proposal as I proposed it passed out of here overwhelmingly, okay? So it is not like there is not support.

But I am going to suggest that members of the committee, before we file this report—I mean, we are going to do something off of this hearing, and maybe we are going to have many more of these hearings, by the way, on other aspects of VAWA—that they be able to submit some questions in writing to you. I am going to make sure that we ask each of the staff members not to have—you know, you are all busy people, so I do not want to make work for you. But a limited number of questions that you can submit in writing, if it is possible. And if you cannot because you are so busy, pick up the phone and call the staff and say, "Hey, look, here's my answer." Again, you all are busting your neck; I do not want to make work for you.

It is that old, bad joke: "I am from the Federal Government. I am here to help you," and usually it means more work for you.

And I am going to submit about roughly three questions to each of you that I did not ask here today, so you can actually get lunch, and so I do not continue to perpetrate my image as a villain of trying to keep people from eating.

But the one thing I know we all share on this panel, and I suspect the people in this room do also, is not just a commitment to but a fervor for making sure that we get this right.

Reasonable people can disagree on this tactic. We are not talking strategy. We are talking tactic.

But I think the tactic is relatively important. I think it has to do with it.

I want the person in that office to have to be thought of—you know why I want the confirmed by the Senate? I want the President to have to think about it. Everybody who has to be confirmed by the Senate gets run by the President's desk. I want the President to have to think about it. I want it on his or her radar screen.

The second reason is that I want every one of the Members of the Congress to say, "Oh, that is right. There is that office. I have to vote on that, for or against that."

I want them to make sure they have staff who are going to make sure they protect them so they do not make a dumb mistake and vote for somebody not qualified. I want all the staff people having to go and check the background of that person.

I know this sounds silly, but incrementally, this all matters, because when I introduced the bill years ago, I said there is one overriding, overarching purpose in this bill: It is to begin to change the culture of this country about violence against women.

It also, by the way, for the record, includes violence against men. You can qualify under this those rare 3 or 4 percent of the cases where men are victimized. And they occur. But it is overwhelmingly violence against women.

And we have to make it clear, which I think you have done.

I will end with a story I should not tell, but the statute of limitations has run.

Years ago, I was in a supermarket, as a young Senator. I can tell the judge exactly which one it was and he would know exactly where it is.

It was late at night. It was a market that was open until midnight.

And I was with my wife, because that is the time, on Friday nights, after events, we would go and she would do the shopping and I would go. And I am in a different aisle, doing all the things you are not supposed to do, putting in the cart all the things that are not necessary.

And, literally, I walked by a guy who was having an argument with what turned out to be his wife.

And the statute has past, but I want to be clear about this, and why I do not see this happen much anymore.

And I was no further in the aisle with these canned goods than from here to that table. And this man raised his hand to his wife, and she put her hand up like this. And he grabbed her wrist. And it was in the summer, and she had a short-sleeve shirt or dress

on—I don't recall—and squeezed her hand so much, I could see her hand turn white.

And I walked up with a smile on my face, and I grabbed him by the neck and squeezed as hard as I can. And I said, "Hi, how are you doing? How's everything going?"

And this guy dropped this woman's hand and turned around. I didn't push him, but he backed away and knocked down the cans.

And I said, "Can I help you at all? You are obviously having a problem."

And he looked at me, his eyes got about as big as ever, and all I kept thinking to myself was, "Joe, please, don't hit him. Don't lose your temper beyond what you have just done."

And I said, "By the way, my name is—"

And after it was all over, I got in the parking lot and I prayed—I prayed—that this guy was not going to go to the police and say I assaulted him. I would argue I was defending this woman who was being hurt.

Guess what? I hardly see that any more. It does not mean it does not happen. But one thing society has done, it has moved a lot of this out of the public view, which does not make it safer for all women, but it does communicate to our children generically that this is not appropriate. It is not appropriate for a husband to grab a woman by the wrist and squeeze her hand until the blood is cut off.

And so the single biggest thing that has happened here, which you all have done, is now the dirty little secret is kind of out of the closet. And it has not solved the problem, because the dirty little people who commit the crimes have gone even further underground.

But one thing it has done, I think no longer does the public at-large think what I believe they would have thought 24 years ago, roughly, when this incident occurred that I referenced.

Had other people seen that walking down the aisle—not me, but this man—they would have walked by. They would have thought, "Well, you know, that is a husband and wife thing." I do not think that happens today—nearly as much, anyway.

Judge Poppiti can tell you, years ago, I ran a car up on a road and tried to run down two guys who were beating up a woman on the side of the street while everybody stood there and watched.

It turned out it was a woman who was a classmate of mine from grade school. And I begged the police not to let them know that I apprehended one of these guys.

On a talk show the next day, the cops thought they were doing a nice thing for me and mentioned that I had done this. And the talk shows were, "Biden risks people's lives by driving his car up onto the sidewalk."

Remember that?

I do not think people would write that way anymore. I think people have begun to understand their obligations.

And I want to thank all of you.

And, Case, what you did early on is a big deal.

And, General, your willingness to take it on, because you know better than I do, this ain't just poor man. This is rich man. This

is poor man. This is doctors, lawyers, assembly line workers, pickle packers. It does not matter; it goes across the board.

And I apologize for keeping you so long, but, Lynn, I tell you what, if there are any angels in heaven, they are the men and women who do the job that you do. I do not know how you do it. I have trouble going there. I have trouble sitting there, just like I know the judge has trouble sitting there presiding over these cases. And it is incredible what you do. It is incredible.

And there are thousands of women like you out there, not with the same degree of talent and breadth you have in this area. For real, there are not. But there are thousands of women out there.

And so, we are changing the culture. My one, overwhelming objective here is—and, again, I may be wrong about exactly how to do it—but the higher the profile of this office—were I the President, were I the Attorney General, I would think of even elevating this office, because of the volume of crime it involves, to the level of the Associate Attorney General.

But I cannot get that done. And the bottom line is that I think it should be at least directly under the Associate Attorney General, like the COPS office.

We are going to continue fighting this fight. But the good news is, folks, the President is committed to this. The Attorney General is committed to this. Everybody in this administration, Republicans, and Democrats are committed to it.

And, boy, that is a long way from where we were, Pat, years ago.

So let's not despair, even if we do not get this done. But I think we can get this done.

I am going to submit questions, as I said, from other Senators. And within a couple weeks, if you could get them back to us?

And, Doctor, thank you for your valuable input. It is valuable. We want to make sure that what we are spending the taxpayers' dollars on is actually efficacious, because if we do not, public support will begin to wane.

So far, so good.

Thank you, all. And again, I apologize for starting late and ending late.

[The prepared statement of Senator Cantwell follows:]

STATEMENT OF SENATOR MARIA CANTWELL

Thank you Senator Biden for calling this important hearing today. Sadly, while our country has committed the necessary resources to address terrorist attacks from abroad, the women of our country continue to face terrorism within our borders, on our streets, and in their own homes. I am talking about the terrorism that takes the form of sexual assault and domestic violence and will directly impact over one-third of American women in their lifetime.

According to the Department of Justice, somewhere in America, a women is raped every two minutes. The Centers for Disease Control and prevention reported that 1 in 6 women in the United States has experienced an attempted or completed sexual assault. In my home state of Washington the number of sexual assaults is even higher. According to the Washington state Office of Crime Victims Advocacy 38 percent of women in my state have been sexually assaulted.

These statistics are wholly unacceptable. In 2000, the Senate signaled its commitment to eradicating this type of violence by unanimously passing the reauthorization of the Violence Against Women Act. However, without an independent office and full funding of the critical programs authorized under VAWA this commitment remains nothing more than an empty promise.

In 2001, VAWA funding provided my home state with $11.3 million for victims' programs including emergency legal services. Through funding by the Rural Domes-

tic Violence and Child Victimization grant program, my state has trained state and tribal judges on how to identify and responsibly address cases of domestic violence.

While these programs represent successes, there is still much to be done. One of the leading causes of hopelessness is domestic violence and, in the last two years, the Seattle area has seen an average 16 percent increase in hopelessness. The National Coalition Against Domestic Violence estimates that over 295,000 women—women who had the courage to flee abusive homes—were turned away by shelters in 2000 due to insufficient space. We must address this critical shortage and provide these brave women and their children with safe and accessible housing.

We must devote the resources necessary to help domestic violence and sexual assault survivors and prevent future violence against women. This is why I signed onto Senator Biden's request to fully fund these critical VAWA programs and it is why I introduced S. 2055, the Debbie Smith Act.

The Debbie Smith Act addresses the issue of sexual assault in two ways: by providing law enforcement the tools to track and convict sexual assailants and ensuring that rape survivors are treated with the dignity and respect they deserve.

S. 2055 helps law enforcement by authorizing funding to carry out analysis on crime scene samples and cross-reference DNA information with crime databanks. And it ensures sexual assault survivors get top-quality care by funding training for Sexual Assault Nurse Examiner or SANE nurses. I look forward to discussing this important piece of legislation with my colleagues in the near future.

Again, I want to thank Senator Biden for chairing this hearing today and I look forward to hearing expert testimony from our illustrious panel of witnesses.

[Whereupon, at 1:26 p.m., the committee was adjourned.]