

**Minutes of the National Advisory Committee on Violence  
Against Women  
Bi-Annual Meeting  
Washington, D.C.  
October 3-4, 2006**

**Locations:**

**Department of Justice, Great Hall  
Mayflower Hotel, Washington, D.C.**

**Meeting Participants (in attendance)**

**Advisory Committee Members**

Christine Barr  
Esther Bearden  
Scott Berkowitz  
Myrna Blyth  
Jane Brady  
Michael Brennan  
Tiffany Carr  
Sheryl Cates  
Cordelia Clapp  
Anne Crews  
Marsha Garst  
Marsha Gilmer-Tullis  
Ludy Green  
Casey Gwinn  
Margot Hill  
Melissa Hook  
Susan Howley  
Suzanna Hupp  
Pamela Iron  
Octavia Johnson  
Bruce Kittle  
Harriet O'Neill  
Susan Reed  
Jane Root-Sylvain  
Bill Shuler  
Renee Schulte  
Larry Tackman  
Scott Wyatt

## **Federal Employees**

### **U.S. Department of Justice**

Diane M. Stuart  
Andrea Bottner  
Jennifer Kaplan  
Sandy Lonick  
Amy Mathers

### **U.S. Department of Health and Human Services**

Frances Ashe-Goins  
Wanda K. Jones

### **Guest Speakers**

Deputy Attorney General Paul J. McNulty  
Assistant Secretary John O. Agwunobi  
Steven T. McFarland  
Carol Apelt  
Lisa Begg  
Michael Costigan  
Janice Longe  
Jerry Silverman

## **Members of the Public Who Presented Oral or Written Statements**

### **Oral Statement**

Stanley Green, SAFE International (Stop Abuse for Everyone, Inc.)

### **Written Statement**

Lee Newman, NH Chapter of SAFE (Stop Abuse for Everyone, Inc.)

## **Matters Discussed**

### **Tuesday, Oct. 3; Great Hall, Department of Justice**

1. Diane Stuart, Director of the Office on Violence Against Women (OVW), U.S. Department of Justice (DOJ) welcomed the committee members and thanked them for their time and dedication. She encouraged members to look at OVW's new Web site and pass on their thoughts about the site.
2. Dr. Wanda K. Jones, Deputy Assistant Secretary for Health, U.S. Department of Health and Human Services and the Director of the Office on Women's Health introduced Frances Ashe-Goins, Deputy Director and Director of Division Policy and Program Development at DHHS. Dr. Jones told the committee that its work was critical in helping both DOJ and DHHS make a difference in reducing violence against women.

3. The committee members took turns introducing themselves.

4. Paul J. McNulty, Deputy Attorney General of the United States, delivered the keynote address. He thanked Diane Stuart for her leadership and noted that she would be retiring after five years as head of OVW. He spoke about several of the initiatives undertaken by OVW since Director Stuart's appointment in 2001, including implementation of the President's Family Justice Center Initiative and the Rural Faith-Based and Community Organization Pilot Program.

Mr. McNulty told the committee that its diversity - judges, prosecutors, health care professionals, clergy, victim advocates and others - put the committee in a good position to advise the Administration on how to combat violence against women.

He noted that DOJ had announced six priorities in 2005 - drug trafficking; violent crime; terrorism; cyber crime; civil rights; and corruption - and he discussed how DOJ was addressing these issues. He spoke of the need to prevent violence, not just prosecute crimes, and said that many of the grants awarded by OVW were effective in advancing this prevention work.

5. Director Stuart introduced her Special Assistant, Sandy Lonick. Ms. Lonick noted that at the committee's first meeting in Dallas, the panel had set up three subcommittees based on the Coordinated Community Response. Originally, there had seemed to be some confusion among the committee members as to what the end product of the subcommittees' efforts should be. So, the subcommittees had conducted a conference call in which this issue was clarified. Since the Dallas meeting, it was decided that there would be four instead of three subcommittees; each would address one of the priority areas of the charge: Children Exposed to Violence; Dating Violence; Expanding the Reach of Victim Services; and Outreach to Faith-Based and Community Organizations.

The chairpersons of the various subcommittees had also changed since the Dallas meeting, and at today's meeting, it was agreed that the following members would chair a subcommittee: Jane Brady and Harriet O'Neill (Children Exposed to Violence); Susan Howley and Melissa Hook (Dating Violence); Renee Schulte and Bill Shuler (Outreach to Faith-Based and Community Organizations); and Jane Root-Sylvain (Expanding the Reach of Victim Services).

The subcommittee chairpersons next talked about what the subcommittees had taken away from the conference call and had discussed since the call, particularly in regard to the end product of their work.

Among the suggestions made by committee members:

- Having a one-stop shop on the Web site for training materials on domestic violence; teen dating violence, etc. with links to existing sites.
- Delineating on the Web site what audience would be most interested in particular materials.

- Creating a brochure that would orient persons in need to the availability of resources on the site.
- Focusing on faith-based and community initiatives around the country that are already working well and helping to give them the resources they need to become more successful.
- Including information on the Web site listing nearby safe houses/faith missions, etc. where clergy could send young congregants in need of help.
- Using mass media (radio, television, print publications) to publicize the resources on the Web site.

The committee talked about ways to disseminate information through state coalitions and hotlines. Director Stuart said that it is critical to figure out who needs the information and how those people can easily get access to that information. Panelists noted that different groups search for information in different ways. Teens, for example, are heavy users of the Internet. Other groups may not have computers, or access to them. The charge needs to drive the question.

6. Steven T. McFarland, Director of the DOJ Taskforce on Faith-Based and Community Initiatives gave an overview of his office at DOJ. The office helps communities and faith leaders understand what grants are available from OVW. It serves to connect faith-based and community organizations with the appropriate grant and/or contract federal program. And it eliminates regulatory and programmatic obstacles to the equal treatment and consideration of these groups in the awarding of grants. No preference is given to any organization.

Mr. McFarland noted that persons within these organizations are sometimes the first place a victim turns to for counseling and assistance in connection with domestic and sexual violence. The advisory committee is in a unique position, he said, to think creatively about how to educate and assist faith-based and community organizations to better respond to the needs of such victims. He offered the Office's help in clarifying legal matters or in developing guidelines regarding faith-based and community efforts to assist women and families in need.

7. Frances Ashe-Goins, Director of the Division of Policy and Program Development, Office on Women's Health, U.S. Department of Health and Human Services spoke next. She said that she had presented the information gathered at the advisory committee's last meeting to the DHHS Steering Committee on Violence Against Women. She had asked for resource experts from DHHS to address the advisory committee, and today, the committee would hear from those experts, each covering one area of the charge.

First, Jerry Silverman, Division of Children and Youth Policy, Office of the Assistant Secretary of Planning and Evaluation, DHHS, spoke on the topic of Children Exposed to Violence. He talked about the federal Greenbook demonstrations and the project's work in addressing child maltreatment and domestic violence. There are six Greenbook sites and three primary partners (child welfare agencies; domestic violence programs; and juvenile and family courts). He noted that the project is focused on system change;

funding is not for services. The project began its five-year funding in October 2001. Some sites are ending this year; other have no-cost extensions.

Mr. Silverman outlined several lessons from the project: the work takes time; child welfare must address domestic violence in its case load; involvement in the courts is important; the issues are complex and require the involvement of many different community partners; and building interdisciplinary teams is a key outcome.

Among the highlights of the project is the introduction of compliance officers to check with batterer treatment programs to ensure that the batterer is attending those programs.

Mr. Silverman next addressed the subject of children exposed to violence, first noting that he was donating a book of his on the subject to the committee. He said that the consequences of experiencing violence were similar across various types of violence, including domestic violence, community violence, and war and terrorism. He emphasized that exposure to domestic violence could not be equated with child abuse and neglect. Child welfare is usually not the proper institution for serving such families unless there is child maltreatment as well as exposure. In addition, he said, child welfare tends to disempower mothers. Individual assessments, performed carefully, are needed.

Finally, he outlined three federal programs: Safe Start; Safe and Bright Futures for Children; and Enhanced Services for Children Exposed to Violence.

Dr. Lisa Begg, Director of Research Programs, Office of Research on Women's Health, Office of the NIH Director, N.I.H./DHHS next discussed a 1995 national survey on Intimate Partner Violence (IPV) among couples. That survey showed that IPV occurred among about 23% of black couples, 11.5% of white couples and 17% of Hispanic couples, with the rate of female-to-male IPV being 15% among white couples, 30% among black couples and 21% among Hispanic couples. The survey addressed IPV prevalence among minorities, considering, for example, factors such as alcohol use and life events like pregnancy or HIV status. It was estimated that in about 45% of the cases where violence occurred, men had been drinking (compared to 20% for women).

Other research estimated that 22% of women and 7.5% of men would experience lifetime IPV exposure. Among abused women, 35-38% of their partners could be classified as having significant alcohol problems, and it was found that individuals with alcohol problems attack more often and inflict more serious injury.

It is thought that IPV may be a byproduct of alcohol/substance abuse due to disruptions and/or distortions in cognitive functioning, altered judgment, or enhanced perceptions of risk and threats.

NIH research is underway to identify pathways and vulnerability and protective factors in the associations between IPV, children's emotional and physiological regulation, and child functioning. The research will examine the effect of parental involvement on child mental health within families with a history of IPV, and how exposure to IPV and dating

violence may have a cumulative negative effect on teens.

The next subject was outreach to faith-based and community organizations. Speaking were Michael Costigan, Deputy Director for the Center for Faith-Based and Community Initiatives, Office of the Secretary, DHHS, and Carol Apelt, Special Assistant to the Director, Office of Community Services Administration for Children and Families, DHHS.

Mr. Costigan spoke about the goals of the White House Office of Faith-Based and Community Initiatives, noting again that the office was working to help level the playing field for faith-based and community organizations competing for federal funds. Its mission is to provide outreach and technical assistance to these organizations; to ensure compliance with equal treatment and charitable choice regulations; and to monitor several pilot programs (Compassion Capital Fund; Mentoring Children of Prisoners; and Access to Recovery).

He spoke about site visits to local organizations and how they allowed the Office to see how federal money is impacting these organizations.

Carol Apelt gave an overview of the Compassion Capital Fund (CCF). The purpose of CCF is to build the capacity of faith-based and community organizations doing grassroots work to better sustain themselves. This is done by increasing their effectiveness; enhancing their ability to provide social services; expanding their organizations; and helping them to create collaborations. She noted that when reviewing grants, the Office makes no distinction whether the applicant is faith based or community based.

Funds are distributed in three programs: the Demonstration Program; targeted capacity building programs; and the Communities Empowering Youth program.

The Demonstration Program funds intermediary organizations and serves as a bridge between the federal government and the smaller grassroots FBCOs the program is designed to assist. These organizations must have training and technical assistance in five areas: leadership development; organizational development; program development; revenue development strategies; and community engagement. After the federal government awards grants to the intermediary organizations, those organizations help the smaller FBCOs through training and technical assistance; as well as capacity building sub-awards.

The Targeted Capacity Building Program helps build the capacity of grassroots FBCOs to address the needs of distressed communities. For this program, the federal government makes grants directly to the FBCOs. These grants are one-time awards up to \$50,000 for capacity-building activities.

Janice Longe, Office of the General Counsel; Children, Families and Aging Division, DHHS spoke about Expanding the Reach of Victim Services.

The task of expanding the reach of victims services can be seen in two ways, she said: 1) expanding services in both quantity and effectiveness across a variety of groups that are not adequately served now, and 2) looking at current practices and making adjustments to better serve other groups. There is a need to tap the private sector as a resource and to think creatively about how to reach target groups, she said.

She also talked about the resources available in the Domestic Violence Resource Network.

8. Director Stuart and Dr. Jones encouraged the subcommittees to contact their offices to request other experts from within DOJ and DHHS who could address subcommittee members and help provide the information the subcommittees need to move forward. Dr. Jones then introduced John O. Agwunobi, Assistant Secretary for Health, DHHS. Dr. Agwunobi told the panel that DHHS is committed to eradicating violence in American families through many of its programs and that the Department is trying to explore the connection of violence and health.

Dr. Agwunobi pledged his support to the panel and said that when a permanent Surgeon General is selected, he will ask that new Surgeon General to meet with the advisory committee. The new Surgeon General has the opportunity to raise the profile of issues the panel feels is important, and he or she will rely on the expertise of the committee's members.

9. The advisory committee broke into subcommittee working groups to discuss the four priority issues of the charge. Committee members then took a guided tour of the Department of Justice.

10. Jennifer Kaplan, Attorney Advisor, Office on Violence Against Women, U.S. Department of Justice gave an overview of the Department of Justice Reauthorization Act of 2005, first looking at the original 1994 VAWA as well as the 2000 VAWA.

The original VAWA contained a spectrum of responses to the problem of violence against women. The VAWA of 2000 not only reauthorized the original VAWA programs but pushed in new directions and created a number of new grant programs, such as the Legal Assistance for Victims Program and the Elder Abuse Program.

The VAWA of 2005 - signed into law last January - continues all programs from the 1994 and 2000 VAWA and expands many programs addressing such problems as sexual assault. The Act creates 12 new OVW-administered grant programs in such areas as youth victims of dating violence ("Access to Justice for Youth" and "Supporting Teens"); children who witness violence ("Children Exposed to Violence" and "Home Visitation Projects") and expanding the reach of victim services ("Outreach to Underserved Populations" and "Culturally and Linguistically Specific Services for Victims").

11. Judge Michael Brennan of the Milwaukee County Circuit Court gave a presentation on domestic violence evidence following the U.S. Supreme Court decision on Crawford

v. Washington. The case changed the way domestic violence evidence is collected and investigated, as well as how such cases are prosecuted, defended, and decided. It essentially reinterprets the Sixth Amendment right of a defendant to confront witnesses against him.

Crawford's re-interpretation of the Sixth Amendment has resulted in two recent decisions: *Davis v. Washington* and *Hammon v. Indiana*. He talked at length about so-called "testimonial" hearsay, saying that it is admissible only when a witness is unavailable and there is a prior opportunity to cross examine.

Judge Brennan offered several different scenarios, examining whether they would be considered "testimonial" in nature. Those situations were: police questioning; witness statements to officers responding to a crime; letters to police accusing someone of wrongdoing; child hearsay; statements to private investigators; statements to doctors; statements to family or friends; excited utterances; and 911 calls.

Study of the three cases suggests the following guidelines:

- For law enforcement officers: Let victims who want to talk, do so. Pay close attention and document the victim's emotional and physical state. The sequence is also important for reports and testimony.
- For physicians and medical professionals: Preserve your neutrality as a medical witness, not a law enforcement witness. Document the victim's emotional condition. Determine whether victim's statements are for the purpose of medical diagnosis.
- For victim/witness advocates: Understand the consequences of the case in order to explain it to victims.

After the presentations, Director Stuart encouraged the members of the advisory committee to share their particular area of expertise with the whole committee at future meetings.

12. For the remainder of the day, the panel broke into subcommittee working groups for discussion, before the meeting adjourned for the day at approximately 5:00 pm.

### **Wednesday, Oct. 4, Mayflower Hotel**

1. Director Stuart welcomed the committee members and reminded them again to feel free to call upon OVW/DOJ and DHHS employees to provide information to help their subcommittee work.

2. Public comment period:

Stanley Green, International Victims' Resources Advocate, SAFE International, Stop Abuse for Everyone, Inc. addressed the committee. Mr. Green said he was a survivor of



domestic violence perpetuated by his wife and recounted how law enforcement had not taken his case seriously when he had first reported his attack. He noted that his wife had received custody of their children.

Mr. Green spoke about what happens to survivors of domestic violence whose children are taken away from them and given to their abusers. He said that the survivor is often ordered to pay monetary child support to the abuser and may have trouble re-entering the workforce. Mr. Green encouraged the panel to use its expertise and connections to work to extend the protection of the Family Violence Option to survivors of domestic violence who have lost custody of their children.

Director Stuart noted that Lee Newman, Executive Director of SAFE International and Director of SAFE-NH, had provided the committee with written comments as he was unable to attend the meeting.

3. Subcommittee members next updated the entire panel on their discussions from the previous day.

**Children Exposed to Violence:** This subgroup had talked yesterday afternoon about the scope of the charge and about information that the committee had heard throughout the day. It had decided to hold a subcommittee meeting at the end of January in San Diego, at which time the subgroup would visit the city's Family Justice Center. The timing of the meeting will also coincide with the San Diego International Conference on Child and Family Maltreatment sponsored by the Chadwick Center for Children and Family. Some sessions in this conference focus on mitigating child trauma.

Subcommittee Chairwoman Jane Brady said she would ask a staff member in her office to identify programs around the country dealing with children exposed to violence and provide a synopsis. The subcommittee had also discussed the lack of communication among various groups, such as the adult and juvenile justice systems and the domestic violence service community.

Anne Crews suggested that committee members study the toolkit produced by the advisory committee that had finished its work in 2001.

**Dating Violence:** Susan Howley said her subcommittee would focus on getting a handle on what information was available on teen dating violence. The subgroup would look for resources that addressed the intersection of alcohol, teen dating and sexual assault. It would also see how the work coming out of the Campus Program could be extended and applied to the many campuses that don't receive those grants, and the subcommittee would explore the feasibility of a campus-based Family Justice Center geared to students. Another possibility to consider is a call-in talk show produced by teens for teens on dating violence.

**Outreach to Faith-Based and Community Organizations:** Bill Shuler talked about reaching out to faith-based groups that minister and provide outreach to troubled youth,

such as the “Dream Centers” across the country. Many of these Dream Centers are located in churches of about 100 people, he said, noting that the charge spoke to the importance of smaller faith-based and community groups, which are often overlooked and are sometimes the only resource for victims in rural areas. He also talked about how smaller churches looked toward big churches as models.

The subcommittee would also explore the need for a document that could, among other things, provide guidelines for clergy to follow when responding to a person who has approached them for counseling regarding abuse.

Director Stuart said that many state coalitions have faith-based subcommittees. OVW could e-mail those coalitions and have them get in contact with the National Advisory Committee’s faith-based subcommittee. That way, it could find out what states had such a subcommittee, what their members were doing, and how they were doing it.

Committee members discussed the need to reach out to the Latino and Asian faith communities. It was also noted that DOJ has a faith-based initiative for victims of crime in tribal nations.

Expanding the Reach of Victim Services: Cordelia Clapp talked about a mandatory program in the Kaw Nation in Oklahoma in which all tribal police receive three-hour in-service training on domestic violence. She said she would like to bring this training to all of Indian Country.

Anne Crews said she would speak to Mosaic, an immigrant service group in Dallas and gather information from them about immigrant service needs. She said she would also talk to Mary Kay-Mexico about immigrant issues. Mary Kay-Mexico had worked with the National Women’s Institute in Mexico to build more than 40 shelters in that country within the last couple of years.

Scott Berkowitz talked about surveying local service providers to see where service gaps are at the local level.

Marsha Gilmer-Tullis discussed reaching out to tribal nations through collaborations with the Boys and Girls Clubs in place there. She also talked about the need to understand the customs and language of immigrants for whom service groups provide assistance, in order not to embarrass or offend persons.

Director Stuart suggested that the subcommittee take a close look at the purpose areas of the STOP Formula Grant Program as well as DHHS’ Family Violence Prevention Services Act to see if there were some areas that the Departments should be emphasizing.

One advisory group member suggested that panel members attend state meetings and try to be active participants on other committees.

4. Director Stuart thanked the entire committee and said it had been an honor to serve

with its members. In response to a question, she noted that after she left her position, an interim director of OVW would serve until the Senate confirmation process for a new permanent director was complete.

The advisory committee broke into subcommittee working groups, after which the meeting adjourned at approximately 12:00 pm.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

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Andrea G. Bottner  
Acting Director  
Office on Violence Against Women

National Advisory Committee on Violence Against Women  
Designated Federal Official