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May 4, 2012

Dear Mr. Ureneck,

Thank you for contacting me regarding the Violence Against Women Reauthorization Act (VAWA) of 2011 (S. 1925). I appreciate hearing your thoughts on this issue.

S. 1925 would reauthorize and expand a variety of grant programs aimed at countering domestic violence through 2016. While countering violent crimes is a cause that enjoys universal support, the debate over S. 1925 has become contentious due to the inclusion of a variety of controversial new elements to the bill. The legislation would increase benefits available under VAWA to specifically include victims of stalking and "cyberstalking," as well as same-sex couples, and illegal immigrants who are victims of any sort of violence. Specifically, S. 1925 raises the cap on the number of visas that can be granted to noncitizen victims of crimes who cooperate with law enforcement officials beyond the current limit of 10,000 per year.

In addition, much of the grant funding provided under VAWA does not directly benefit victims of domestic violence, but goes toward domestic violence research, as well as lobbying for specific state and local law enforcement policies, such as mandatory arrest laws when responding to domestic violence incidents. A variety of studies have shown that the enactment of mandatory arrest laws can actually aggravate further domestic violence. In states where such policies have been enacted, intimate partner homicides have been seen to increase by as much as 60 percent.

Finally, S. 1925 expands provisions related to domestic violence on tribal lands, and expands tribal criminal jurisdiction over non-Native Americans. Historically, tribal courts have had jurisdiction over members of their tribe, and moreover, defendants are not constitutionally entitled to the full protections of the Bill of Rights in tribal court.

I am against violence against women, children, men-anyone. Under our Constitution, states are given the responsibility for prosecution of those violent crimes. They don't need Washington telling them how to provide services and prosecute criminals in these cases. Under the Constitution, states are responsible for enacting and enforcing criminal law. As written, S. 1925 muddles the lines between federal, state, local and tribal law enforcement. The Senate passed this legislation on April 26, 2012, by a vote of 68-31. I voted against it. It now awaits consideration by the House of Representatives.

Once more, thank you for sharing your thoughts. Please do not hesitate to contact me if I can be of assistance in the future. I look forward to hearing from you again.

Sincerely,



Rand Paul, MD
United States Senator