

# AFRICAN-AMERICANS FOR VAWA REFORM

P.O. Box 8701  
South Charleston, WV 25303  
Telephone: (304) 342-7752  
Website Address: [www.aavreform.org](http://www.aavreform.org)

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## RE: Domestic Violence Law Reformation – A Call for Help

Dear Community Leaders and Others:

AAVR (African-Americans for Violence Against Women's Act Reform) is a non-profit and non-partisan organization composed of women and men from across the nation who are concerned about VAWA (Violence Against Women's Act) laws and the devastating impact these laws are having on African-American communities. VAWA was signed into law in 1994 by former President Clinton, and serves as the nation's response to domestic violence.

To counteract the harm caused by VAWA, AAVR was established in 2008 by concerned African American leaders from across the nation. AAVR's mission is to educate legislators, the general public and others about the negative outcomes of our government's domestic violence laws and policies on the African-American community and to advocate for and promote cultural-sensitivity, gender-neutrality, social justice and other measures of fairness in VAWA and other domestic violence legislation.

Like many of you, AAVR members are community leaders. We realize that the future of our great nation rests in the hands of our children. These children are our hope, our pride, and our joy. It is well-known that African-American children, as well as children from other racial and ethnic groups, who grow up in a stable family with two loving parents have higher self-esteem, do better in school, have lower rates of teen pregnancy, and are less likely to become involved in criminal activity.

Domestic violence is a serious problem in African-American communities. And we ask, "are our existing domestic violence programs doing enough to support and strengthen the African-American family?" We also wonder whether our current approaches to stopping domestic violence are actually working?<sup>1</sup>

We are concerned to learn that some of our domestic violence programs are proving to be **harmful to our African-American sisters, mothers, and daughters:**

- A recent Harvard University study of mandatory arrest policies found that mandatory arrest laws brought about a 54% *increase* in intimate partner homicides among Blacks and Whites.<sup>2</sup>
- One study found that protection order statutes were associated with an *increase* in the number of black women killed by their unmarried partners.<sup>3</sup>
- Columbia University law professor Kimberle Crenshaw has decried the fact that many women of color are reluctant to seek intervention from the police, fearing that contact with law enforcement will only worsen the system's assault on their lives.<sup>4</sup>

- Many domestic violence programs and services are not culturally-sensitive to African-American women and are therefore ineffective.

We are equally concerned that domestic violence policies **are not helping our African-American brothers, fathers, and sons:**

- According to the FBI, African-Americans – mostly men -- are disproportionately affected by mandatory-arrest policies. Blacks represent 23% of all spouses and 35% of all boyfriends or girlfriends arrested for partner aggression.<sup>5</sup>
- Aya Gruber recently wrote in the *Iowa Law Review*, “Day after day, prosecutors proceeded with cases against the wishes of victims, resulting in the mass incarceration of young black men.”<sup>6</sup>
- Treatment programs for African-American offenders are not culturally-sensitive.<sup>7</sup>

The Congressional Black Caucus has emphasized how our current criminal justice system “fails young African American males too often.”<sup>8</sup> The Ms. Foundation for Women sums it up this way: The “criminalization of social problems has led to mass incarceration of men, especially young men of color, **decimating marginalized communities.**”<sup>9</sup>

Although the African-American community has been disproportionately affected by VAWA, other ethnic and racial groups have also been hurt by this legislation. AAVR is equally concerned about how VAWA is impacting other racial and ethnic communities.

With this in mind, AAVR is requesting your assistance in developing effective, respectful, gender-neutral and culturally-sensitive solutions to the problem of domestic violence. By signing the attached petition, your support will greatly contribute to reforming VAWA and other harmful domestic violence legislation.

Dr. Martin Luther King once spoke of our “beloved community” with cultural values that are uniquely supportive of families. For the sake of our children, we must now make that dream a reality.

Sincerely,

**Elizabeth Crawford, M.S., HES**  
**President, *African-Americans for VAWA Reform***  
South Charleston, WV 25303

**Doris DeGracia**  
**Vice President, *African-Americans for VAWA Reform***  
Inwood, WV 25428

**Reverend Ron Smith**  
**Public Relations Director, *African-Americans for VAWA Reform***  
Grand Rapids, MI 49503

**General Parker**  
**Political Director, *African-Americans for VAWA Reform***  
Peoria, IL 61612

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## References

<sup>1</sup> RADAR. Has VAWA delivered on its promises to women? Rockville, MD: Respecting Accuracy in Domestic Abuse Reporting, 2007. <http://www.mediadar.org/docs/RADARreport-VAWA-Has-It-Delivered-on-Its-Promises-to-Women.pdf>

<sup>2</sup> Iyengar R. Does the certainty of arrest reduce domestic violence? Evidence from mandatory and recommended arrest laws. Cambridge, MA: National Bureau of Economic Research, June 2007.

<sup>3</sup> Dugan L, Nagin D, and Rosenfeld R. Exposure reduction or backlash? The effects of domestic violence resources on intimate partner homicide. NCJ Number 186194, 2001. <http://www.ncjrs.gov/app/Publications/Abstract.aspx?ID=186193>

<sup>4</sup> Crenshaw K. Mapping the margins: Intersectionality, identity politics, and violence against women of color. *Stanford Law Review* Vol. 43, 1991. p. 1257.

<sup>5</sup> Durose MR: Family violence statistics. Washington, DC: Federal Bureau of Investigation, June 2005. NCJ 207846. Table 5.9.

<sup>6</sup> Gruber A. The feminist war on crime. *Iowa Law Review* Vol. 92, p. 941. 2007.

<sup>7</sup> Gondolf E, Williams O. Culturally-focused batterer counseling for African American men. *Trauma, Violence, and Abuse* Vol. 2, 2001. pp. 283-295.

<sup>8</sup> Congressional Black Caucus Calls for Immediate Release of Genarlow Wilson. Press Release June 14, 2007.

<sup>9</sup> Ms. Foundation for Women. Safety and justice for all. New York, 2003, p. 17.