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Children Exposed to Domestic Violence: Federal Assistance Programs

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Summary

Violence between domestic partners is not a new phenomenon. Children who witness such violence, however, have increasingly become a concern of policymakers. Since 1999, several federal programs and initiatives have been created to address the problems of children who witness domestic violence, and several new initiatives have been enacted in the 109th Congress.

The Safe Start Initiative was authorized by legislation in 1999 (P.L. 105-277) to prevent and reduce the effects of family and community violence on young children from birth to age 6. In 2000, Congress reauthorized the Violence Against Women Act and created the Safe Havens for Children Pilot Program to provide supervised and safe visitation exchange of children by and between parents in situations involving domestic violence. In 2001, the Stop Family Violence postage stamp was created, directing the U.S. Postal Service to issue a semi-postal stamp to allow the public an opportunity to contribute toward domestic violence funding. Proceeds from the sales were transferred to the Department of Health and Human Services for domestic violence prevention programs, specifically the Safe and Bright Futures for Children Program, and the Demonstration of Enhanced Services to Children and Youth Who Have Been Exposed to Domestic Violence. To date, proceeds from the stamp have generated \$1.2 million. Furthermore, funds have been authorized under the Family Violence Prevention and Services Act to assist children exposed to domestic violence, if appropriations exceed \$130 million in a fiscal year. To date, appropriations have not exceeded that amount.

The Greenbook Initiative is a federal multi-agency demonstration project that implements the suggested guidelines for policy and practice of the National Council of Juvenile and Family Court Judges, which are designed to assist child welfare, domestic violence agencies, and family courts in responding more effectively when domestic violence and child maltreatment occur simultaneously. Since FY2001, six communities have been funded through the federal Greenbook Demonstration Initiative.

The impact on children of exposure to domestic violence has been an issue in the 109th Congress. At the end of the first session, Congress passed the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162), which contained a series of new initiatives. New programs would provide services to assist youth who have been victims of domestic and dating violence, sexual assault, and stalking; support training and collaborative efforts of service providers who assist families in which domestic violence and child maltreatment occur simultaneously; enable middle and high schools to train relevant school personnel to assist student victims of such violence, holding perpetrators accountable; and combat such violence on college campuses. This report will not be updated.

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Children Exposed to Domestic Violence: Federal Assistance Programs

Introduction

Violence in the home is not a new phenomenon. Jeffrey L. Edleson, a researcher who has studied domestic violence extensively, dates it back to the Roman Empire, and reports that the incidence of family violence has not changed over the years as much as its visibility.¹ Edleson, who is the director of the Minnesota Center Against Violence and Abuse, observes that the most recent victims of family violence to receive attention are children who witness violence between adults in their homes. Carla Smith Stover of the Yale University Child Study Center noted in an overview of domestic violence research that a large body of studies have indicated that exposure to domestic violence has harmful effects on children's emotional and behavioral development. Some researchers have reported data demonstrating that childhood exposure to such violence is associated with coexisting and potential indications of child behavioral and psychiatric problems.² Stover reported that some researchers believe that exposure to such violence can "affect children's cognitive functioning, initiative, personality style, self-esteem, and impulse control."³ Furthermore, such children may be at greater risk for child abuse and neglect. Stover cited research that found an estimated 60% to 75% of families in homes where such violence occurred had children who also were physically abused.⁴

The impact on children of domestic violence is an issue of interest in the 109th Congress. The first session of the 109th Congress ended with the passage of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162), which contained new initiatives to address concerns about children and youth exposed to and victimized by domestic violence. This report discusses existing federal programs and initiatives that have been established to assist such children and youth, and new provisions enacted in P.L. 109-162.

¹ Jeffrey L. Edleson, "Children's Witnessing of Adult Domestic Violence," *Journal of Interpersonal Violence*, vol. 14, no. 8, Aug. 1999, p. 839.

² Carla Smith Stover, "Domestic Violence Research: What Have We Learned and Where Do We Go From Here?" *Journal of Interpersonal Violence*, vol. 20, no. 4, April 2005, p. 449.

³ *Ibid.*

⁴ *Ibid.*

Federal Programs and Initiatives

Since 1999, several federal programs and initiatives have been created specifically to address concerns related to children who witness domestic violence. The programs include the Safe Start Program (administered by the Department of Justice's (DOJ's) Office of Juvenile Justice and Delinquency Prevention, or OJJDP), Safe Havens for Children Program (sponsored by DOJ's Office of Violence Against Women, or VAWO), and the Safe and Bright Futures for Children Initiative and the Demonstration of Enhanced Services to Children and Youth Who Have Been Exposed to Domestic Violence (both administered by the Department of Health and Human Services, or HHS).

The latter two programs are partially funded through proceeds from the Stop Family Violence postage stamp that was created through the Stamp Out Domestic Violence Act of 2001, Section 653 of the Treasury and General Government Appropriations Act of 2002 (P.L. 107-67). The U.S. Postal Service was directed to issue a semi-postal stamp in order to allow the public a direct and tangible way to contribute to domestic violence funding. The stamp was issued for sale on October 8, 2003. To date, proceeds from the stamp have generated \$1.2 million. Stamps will not be issued after December 31, 2006.⁵

In addition, the Greenbook Initiative is a federal multi-agency demonstration project that implements the suggested guidelines for policy and practice of the National Council of Juvenile and Family Court Judges "Greenbook" designed to assist child welfare, domestic violence agencies, and family courts to respond more effectively when domestic violence and child maltreatment occur simultaneously. The federal assistance programs and the Greenbook Initiative are discussed below.

Safe Start Program

The Safe Start Program was authorized by the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 (P.L. 105-277) and was created because of the concern about a high level of violence in 1998 that affected the lives of children (for example, multiple school shootings that had occurred). President Clinton initiated the Children Exposed to Violence Initiative, sponsored by DOJ and directed by the Deputy Attorney General Eric Holder.⁶ On June 22, 1999, through the leadership of the Deputy Attorney General, 150 practitioners and policy makers attended a National Summit on Children Exposed to Violence to consider the

⁵ "Administration for Children and Families Awards \$1.2 Million in Stamp Proceeds to Assist Victims of Domestic Violence: 'Stop Family Violence' Postal Stamp Available Through 2006," *HHS News*, Oct. 17, 2005, at [http://www.acf.hhs.gov/news/press/2005/Family_Violence_Stamp.htm].

⁶ U.S. Dept. of Justice, Office of Justice Programs, Office for Victims of Crime, "Children Exposed to Violence: Criminal Justice Resources," by Helen Connelly, *OVC Bulletin*, NCJ 176984, June 1999, p. 1.

issue and establish a national blueprint for action. The National Advisory Council on Violence Against Women also attended the summit.⁷

In FY1999, of the \$283 million Violence Against Women Act appropriation provided to DOJ, \$10 million was designated for the Office of Juvenile Justice and Delinquency Prevention to administer the Safe Start Program.⁸ The purpose of the program was to support communities in preventing and reducing the impact of family and community violence on young children (primarily from birth to age six) and their families, and to help communities expand their partnerships with service providers (such as law enforcement agencies, mental health and health providers, early childhood education and others) to establish a general service delivery system.⁹

Eligible lead applicants for a Safe Start grant (that is, a cooperative agreement), had to be collaborative groups of two or more public agencies (including state agencies, units of local government, tribal governments, and public colleges and universities), and/or private organizations (including nonprofit, for-profit, and faith-based groups) agreeing to waive any profit or fee, who worked jointly to prevent and address the effects of witnessing violence on children.¹⁰

Applicants could use cooperative agreement funds to create and extend local prevention, intervention and treatment services for young children who had witnessed or were at risk of witnessing violence, to develop effective rules and procedures among agencies regarding how to assist such children, and to coordinate services in order to expand a community-wide system for meeting the needs of such children.¹¹ The goal of the project was to establish a far-reaching service delivery system to improve access, delivery, and quality of services for young children who were exposed to or at risk of exposure to violence. This effort was to be accomplished by expanding existing community partnerships between service providers in key fields such as law enforcement, health, mental health, early childhood education, child

⁷ U.S. Dept. of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, *Safe From the Start: Taking Action on Children Exposed to Violence*, Nov. 2000, p. xi, at [<http://www.ncjrs.gov/pdffiles1/ojjdp/182789.pdf>].

⁸ U.S. Dept. of Justice, Office of Justice Programs, “Safe Start Program,” *Fiscal Year 1999 At-A-Glance*, Special June 1999 Edition, NCJ 173947, p. 62. (Hereafter cited as *Fiscal Year 1999 At-A-Glance*.)

⁹ U.S. Dept. Of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, “Children’s Exposure to Violence: The Safe Start Initiative,” by Kristen Kracke, *OJJDP Fact Sheet*, Apr. 2001, Washington, D.C. (FS-200113), p. 1. (Hereafter cited as “Children’s Exposure to Violence: The Safe Start Initiative.”)

¹⁰ U.S. Dept. of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, *Safe Start: Promising Approaches for Children Exposed to Violence, Program Announcement*, Due Date: Sept. 10, 2004, pp. 18-19, at [<http://ojjdp.ncjrs.org/grants/solicitations/FY2004SafeStart.pdf>]. (Hereafter cited as *Safe Start: Promising Approaches*.)

¹¹ “Reduction and Prevention of Children’s Exposure to Violence (Safe Start), *The Catalog of Federal Domestic Assistance*, 16.730, at [http://12.46.245.173/pls/portal30/CATALOG.PROGRAM_TEXT_RPT.show] (Hereafter cited as “Reduction and Prevention of Children’s Exposure to Violence (Safe Start)”.)

welfare, substance abuse prevention and treatment, domestic violence crisis interventions, and others.¹²

The Safe Start Demonstration Project was a 5½ year effort, conducted in three phases — planning and assessment; initial implementation; and full implementation.¹³ Initially, nine Safe Start demonstration program sites were selected competitively in 1999 and in 2000. Those sites were Baltimore, Maryland; Bridgeport, Connecticut; Chatham County, North Carolina; Chicago, Illinois; Rochester, New York; Pinellas County, Florida; San Francisco, California; Spokane, Washington; and Washington County, Maine. In 2001, two tribal sites were selected — the Pueblo Tribe of Zuni, New Mexico and the Sitka Tribe of Alaska.¹⁴ The 11 sites represented urban, rural, and tribal communities involved in addressing problems faced by young children exposed to violence in their homes, schools, and communities.¹⁵

A national evaluation of the Safe Start Demonstration Project assessing the period from January through December 2004 was conducted noting the accomplishments and challenges experienced across the demonstration sites.¹⁶

Safe Start Promising Approaches. Phase II of Safe Start, now underway, is called the Safe Start Promising Approaches for Children Exposed to Violence Pilot Project (Safe Start Promising Approaches). OJJDP stated that the target population for the program was children exposed to violence, but it specified that “children” included infants to 18 years of age. Emphasis would continue, however, to be placed upon young children from infants to six years of age and their families. OJJDP noted that the reason for this particular emphasis was twofold — research indicated that younger children were at the greatest risk of harm from exposure to violence, and because the exposure of younger children was often unrecognized. Furthermore, the

¹² U.S. Dept. of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, “Keeping Children Safe: OJJDP’s Child Protection Division,” by Thomas Cullen, *OJJDP Juvenile Justice Bulletin*, Mar. 2001, Washington, D.C., (NCJ 186158), p. 6. (Hereafter cited as “Keeping Children Safe: OJJDP’s Child Protection Division.”)

¹³ Association for the Study and Development of Community, *Promising Practices of Safe Start Demonstration Sites: A First Look*, Safe Start Demonstration Project, Prepared for the Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention, Child Protection Division, Feb. 1, 2005, p. 1. (Hereafter referred to as *Promising Practices of Safe Start Demonstration Sites: A First Look*.)

¹⁴ *Safe Start: Promising Approaches*, pp. 18-19.

¹⁵ National Center for Children Exposed to Violence, “About Safe Start,” Dec. 16, 2005, at [<http://www.ncccev.org/programs/safe-start/index.html>].

¹⁶ U.S. Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention, Safe Start Demonstration Project, Child Protection Division, *National Evaluation of the Safe Start Demonstration Project January Through December 2004 — Volume I: Cross-Site Process Evaluation, Final*, Sept. 2005, pp. vii-viii. (Hereafter referred to as *National Evaluation of the Safe Start Demonstration Project January Through December 2004 — Volume I*.)

number of developmentally specific services as well as the number of resources and points of entry into services and support for young children were limited.¹⁷

The local sites funded for the initial Safe Start Demonstration Project, listed above, were not eligible to apply for Safe Start Promising Approaches grants.¹⁸ In August 2005, DOJ awarded \$6.2 million for the Safe Start Promising Approaches grants (a four-year pilot project) that would not only support children exposed to domestic violence, but also those who experienced and witnessed violent crime, sexual and physical assault, and child abuse. The grants were awarded to 15 community sites¹⁹ that would operate through Summer/Fall 2009.²⁰ The 15 community sites are Kalamazoo, Michigan; Chelsea, Massachusetts; Miami, Florida; New York City; Bronx, New York; Erie, Pennsylvania; San Diego, California; Toledo, Ohio; San Francisco, California; Dallas, Texas; Providence, Rhode Island; Oakland, California; Portland, Oregon; Pompano Beach, Florida; and Dayton, Ohio.²¹ Those projects will attempt to provide evidence that promising practices and programs prove effective in reducing the harmful effects on children who witness intimate partner violence of one of their parents.

OJJDP awarded \$996,721 to the Rand Corporation for a national evaluation of the Safe Start Promising Approaches program.²² The goals of the evaluation are to identify the best practices that effectively reduce the negative impact on children's exposure to violence, and to distribute those results so that other communities may duplicate the positive outcomes.²³

¹⁷ U.S. Dept. of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, *Safe Start: Promising Approaches for Children Exposed to Violence, Program Announcement*, Due Date: Sept. 10, 2004, p. 1, at [<http://ojjdp.ncjrs.org/grants/solicitations/FY2004SafeStart.pdf>] (hereafter referred to as *Safe Start: Promising Approaches*). *Safe Start: Promising Approaches*, pp. 10-11.

¹⁸ *Ibid.*, p. 18.

¹⁹ U.S. Dept. of Justice, Office of Justice Programs, "Department of Justice Awards \$6.2 Million to Support Children Exposed to Violence," Aug. 12, 2005 at [<http://www/ojp.usdoj.gov/pressreleases/SAFESTART081205.htm>] (hereafter referred to as "Department of Justice Awards \$6.2 Million to Support Children Exposed to Violence," August 12, 2005).

²⁰ U.S. Dept. of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, "Evaluation of Safe Start: Promising Approaches for Children Exposed to Violence," Program Announcement, 2005, p. 1, at [<http://ojjdp.ncjrs.org/grants/solicitations/SafeStartEvaluation.pdf>] (hereafter cited as "Evaluation of Safe Start").

²¹ "Department of Justice Awards \$6.2 Million to Support Children Exposed to Violence," Aug. 12, 2005.

²² Information about the evaluator was received during a telephone conversation with a spokesman in DOJ's Office of Justice Program's Office of Congressional and Public Affairs on Oct. 19, 2005.

²³ "Evaluation of Safe Start," p. 1.

Funding for the Safe Start Program. Congress appropriated Safe Start funds at the \$10 million level from FY1999 through FY2006. **Table 1** below presents the actual appropriation figures after required rescissions from FY2003 through FY2006. The President did not propose FY2007 funding for the Safe Start Program because it was a pilot program that the Administration believed had achieved its stated goals.²⁴

Table 1. Safe Start Program, Appropriations History, FY2003-FY2007
(\$ in millions)

Fiscal Years	Actual Funding and President's FY2007 Budget Request
2003	\$9.935
2004	\$9.895
2005	\$9.866
2006	\$9.900 ^a
2007	\$0.00

Source: U.S. Dept. of Justice, Office of Justice Programs, Office of Congressional and Public Affairs, June 24, 2005, and P.L 109 — 108, Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006, 119 Stat. 2299.

a. Figure reflects a 1% across-the-board rescission required by FY2006 discretionary budget authority.

Safe Havens for Children

The Violence Against Women Act of 1994 (Title IV of the Violent Crime Control and Law Enforcement Act of 1994, P.L. 103-322), the primary federal legislation that provides assistance for battered women, was amended in 2000 to create the Safe Havens for Children Pilot Program (as Title III, Sec. 1301, Limiting the Effects of Violence on Children, P.L. 106-386), to provide supervised and safe visitation exchange of children by and between parents in situations involving domestic violence, child abuse, sexual assault, or stalking. The Safe Havens for Children Program is also referred to as the Supervised Visitation Program.

On January 6, 2006, the President signed the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162). Title III of VAWA was amended, and the Safe Havens for Children Program was reauthorized at an annual level of \$20 million for FY2007 through FY2011. The legislation also established additional purposes for the program: (1) to protect children from the trauma of witnessing domestic or dating violence, or from experiencing abduction, injury, or death during parent and child visitation exchanges; (2) to protect parents

²⁴ U.S. Dept. of Justice, *2007 Congressional Authorization & Budget Submission*, p. 8.

or caretakers who are victims of domestic and dating violence from experiencing further violence, abuse, and threats during child visitation exchanges; and (3) to protect children from the trauma of experiencing sexual assault or other forms of physical assault or abuse during parent and child visitation and visitation exchanges.

Safe Havens for Children is administered by DOJ's Office on Violence Against Women. The objective of the program is to help communities support supervised visits and safe exchanges of children in situations involving domestic and dating violence, child abuse, sexual assault, and stalking. Grants are available to states, Indian tribal governments, and local units of government that agree to make contracts with or expand existing contracts and cooperative agreements with public or private entities to carry out the provisions of the Safe Havens for Children program.²⁵

As amended most recently, the law requires the Attorney General to set aside not less than 7% of funds for tribal governments or tribal organizations, to use not more than 3% of the funds for evaluation, monitoring, site visits, grantee conferences, and other administrative costs, and to set aside no more than 8% for technical assistance and training. Such training is to be provided by nationally recognized groups with expertise in designing safe and secure supervised visitation programs, and visitation exchange of children in situations related to domestic and dating violence, sexual assault, or stalking. Grantees must collaborate and work with state or local courts and a nonprofit, nongovernmental entity in the local community being served.²⁶ Grants will fund up to 100% of the program costs, and a match is not required. Grantees are encouraged, however, to contribute to the costs of their projects with supplemental contributions that may be cash, in-kind services, or a combination of both.²⁷

Funding for Safe Havens. Congress initially authorized \$15 million to be appropriated for this program for FY2001 and FY2002 only, stipulating that 5% of the funds provided for those fiscal years would be made available for grants to Indian tribal governments. Congress began appropriating funding for the program in FY2002, and, as noted above, the program has now been reauthorized through FY2011, with a requirement that 7% of funds be reserved for Indian tribes and organizations.

Table 2 below provides a funding history for the Safe Havens Program.

²⁵ "Supervised Visitation, Safe Havens for Children" (Supervised Visitation), *The Catalog of Federal Domestic Assistance*, 16.527, at [http://12.46.245.173/pls/portal30/CATALOG.PROGRAM_TEXT_RPT.show] (hereafter cited as "Supervised Visitation, Safe Havens for Children").

²⁶ Ibid.

²⁷ Ibid.

Table 2. Safe Havens: Supervised Visitation and Safe Exchange Grant Program, Appropriations History, FY2002-FY2007
(\$ in millions)

Fiscal Years	Actual Funding and President's FY2007 Budget Request
2002	\$15.000
2003	\$14.903
2004	\$14.746
2005	\$13.890
2006	\$13.717 ^a
2007	\$13.766

Source: U.S. Dept. of Justice, Office of Legislative Affairs, June 2, 2006; Dept. of Justice, Office of Violence Against Women, July 6, 2005, "Science, State, Justice, Commerce, and Related Agencies Appropriations Act. 2006" (P.L. 109-108), and U.S. Dept. of Justice, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs, *The Budget of the United States Government, Fiscal Year 2007 — Appendix*, p. 712.

a. This figure reflects a 1% across-the-board rescission required by P.L. 109-148.

Safe and Bright Futures for Children Initiative

The Safe and Bright Futures for Children Initiative (SBFC) was established in 2004 by HHS to assist children and youth who witness domestic violence, by reducing the harmful impact of such violence on them, and to end the cycle of domestic violence. The program is administered by the HHS Office of Public Health and Science (OPHS), under the leadership of the Assistant Secretary for Health. HHS states that "this initiative seeks to encourage communities to plan for, develop, implement and sustain a coordinated system of prevention, intervention, treatment, and follow-through services for children who have witnessed or been exposed to domestic violence and their families."²⁸

Although there is no specific mandate authorizing the SBFC Initiative, HHS cites Sections 1701-1704 and Sections 301, 392(b), 393, and 501(d) of the Public Health Service Act, as relevant to implementing SBFC activities. Sections 1701-1704 authorize the HHS Secretary to develop and support effective health information and health promotion programs, while the other sections (indicated above) relate to violence and substance abuse prevention, and treatment and mental health services.²⁹

²⁸ "Safe and Bright Futures for Children Initiative," *Federal Register*, Aug. 5, 2004, p. 47440.

²⁹ *Ibid.*, p. 47441.

To be eligible for a grant, applicants must be a public or private non-profit entity, which could include but is not limited to a local government agency that serves children and/or teenagers, a community-based or faith-based group located in a state or U.S. territory, or a federally recognized tribe or tribal group.³⁰ Grantees must plan and put in place a continuous and coordinated system to identify, protect, and care for children and youth who witness or are exposed to domestic violence.³¹ In addition, HHS stipulates that, to the extent applicable, SBFC grantees must prove that they are linked with a DOJ-sponsored Family Justice Center.³² The Family Justice Center Initiative was established in 2003 to better assist domestic violence victims. When seeking help in many communities, such victims had to travel to several different places and discuss their problems with many different people and in many instances, did not receive the needed services. To remedy the problem, the President's Family Justice Center Initiative was created to provide comprehensive services for domestic violence victims in one location, including medical care, counseling, social services, law enforcement, housing, and employment assistance.³³ In October 2003, the Attorney General announced that DOJ would lead a \$20 million program to develop the Family Justice Center Initiative by supporting 12 communities across the nation. In 2006, Family Justice Centers function in various cities throughout the nation.

The SBFC initiative was intended to consist of two phases. Phase I, now underway, comprises two years of strategic planning intended to result in a realistic coordinated service system to assist children and youth who witness or are exposed to domestic violence, with enhancements to increase its effectiveness. Grantees receive approximately \$75,000 each year of Phase I, which began in September 2004. The second year of Phase I, which began on October 1, 2005, and is scheduled to end some time in 2006,³⁴ requires a non-competing continuation application depending on grantee performance and availability of funds. Applicants must demonstrate their direct experience with domestic violence prevention efforts or indicate their abilities to partner with an experienced domestic violence prevention community agency. Phase II would be the implementation stage of the program.

The Director of the SBFC program indicated that at the end of the two-year grant period, HHS will evaluate the program. Grantees are required to evaluate their individual programs as well.³⁵

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ U.S. Dept. of Justice, Office of Justice Programs, "Fact Sheet: The President's Family Justice Center Initiative," *Press Release*, Oct. 8, 2003, at [<http://www.ojp.usdoj.gov/pressreleases/FJCIfacts.htm>].

³⁴ Discussed in a conversation with a HHS spokesman on Feb. 14, 2006.

³⁵ Information was received in an email message containing information from Dr. Woodie Kessel, Director of the Safe and Bright Futures for Children Initiative, dated Aug. 8, 2005.

Program Funding. In September 2004, 22 two-year grant awards were funded for the SBFC Initiative. About \$2.2 million were available to fund the grantees. There was no new competition for FY2006.³⁶

Demonstration of Enhanced Services to Children and Youth Who Have Been Exposed to Domestic Violence

In FY2005, the HHS Administration for Children and Families (ACF), Family and Youth Services Bureau offered grants for the demonstration of enhanced services for children and youth who had been exposed to domestic violence. The purpose of the demonstration is to support children and youth who have been exposed to domestic violence by easing the impact of witnessing such violence, and increasing opportunities that could lead to healthy, nonviolent, and safe lives for them as adults.

Authorization for creating the grants came through the Family Violence Prevention and Services Act (FVPSA), which is Title III, Sections 301-313, of the Child Abuse Amendments of 1984 (P.L. 98-457). FVPSA was most recently reauthorized and amended by the Keeping Children and Families Safe Act of 2003 (KCFSA, P.L. 108-36).

The Keeping Children and Families Safe Act stipulated that when funds appropriated for state Family Violence Prevention (FVP) grants exceeded \$130 million in a fiscal year, the HHS Secretary must use a portion of those surplus funds to assist children who witnessed domestic violence. Under those circumstances, the Secretary could award grants for demonstration programs that would provide multisystem interventions and services for such children, and training for agencies, providers, and other groups that work (either directly or by referral) with those children. To date, funding levels for FVP grants have not exceeded \$130 million. For FY2004, Congress appropriated \$125,648,000 for the grants, \$125,630,000 for FY2005, and \$124,731,000 million for FY2006.³⁷ Consequently, no funding has been available to assist children exposed to domestic violence through FVPSA. Despite this situation, however, a funding opportunity occurred for assistance programs through proceeds received from the Stop Family Violence postage stamp.

The demonstration is required to operate as a collaborative effort among eligible applicants, which include state governments,³⁸ federally recognized tribal governments, and non-profits having tax exempt status with the Internal Revenue Service, but not higher education institutions. Consequently, faith-based and community-based groups are eligible to apply for a grant. At a minimum, eligible applicants are required to collaborate with the state domestic violence coalition and state organization managing the family violence program. The collaboration may be led by the state domestic violence coalition and also may include other helping services such as a child welfare agency, or an Indian tribal group that serves as a local

³⁶ Ibid.

³⁷ U.S. Dept. of Health and Human Services, Administration for Children and Families, *Fiscal Year 2007 Justifications of Appropriation Estimates to the Congress*, p. D-138.

³⁸ State governments refer to state agencies operating family violence prevention programs.

child welfare organization. Other private non-profit groups or public agencies may participate in the collaborations, if they have proof of past work concerning the impact of domestic violence on children, and can document their non-profit status.³⁹

ACF indicates that there are four issues that must be addressed by demonstration grantees and all programs providing services that focus on assisting children who are exposed to domestic violence. Those issues are (1) ensuring that no stigma will be attached to participating in the program and services, and that exposure to domestic violence is not defined as child abuse or neglect; (2) guaranteeing that programming and services provided will be linguistically and culturally competent, and developmentally and age appropriate; (3) guaranteeing that all professional workers in the program receive the necessary training to respond appropriately to children exposed to domestic violence; and (4) addressing the safety of the non-abusing parents and supporting their continuing caregiving abilities.⁴⁰

Initiative Funding. Initially, ACF planned to use \$650,000 from the Stop Family Violence Postage Stamp proceeds to award about 5 grants to eligible applicants for the demonstration.⁴¹ The Director of the Family Violence Prevention and Services program stated, however, that \$1.1 million was received for the demonstration from postage stamp proceeds. Consequently, in September 2005, 11 projects were awarded at about \$130,000 each for a three-year grant period. The Director anticipated that \$900,000 would be raised through the stamp to cover the remaining grant needs.⁴²

Applicants must agree to cooperate and participate in FVPS program evaluation efforts to determine the impact and effectiveness of the collaborations, interventions, and services on children and youth who have witnessed violence among their parents or caregivers.⁴³

Greenbook Initiative

The Effective Intervention in Domestic Violence and Child Maltreatment Cases: Guidelines for Policy and Practice (commonly known as the Greenbook) is a list of recommendations⁴⁴ that attempt to assist dependency courts, child welfare, and

³⁹ Demonstration of Enhanced Services to Children and Youth Who Have Been Exposed to Domestic Violence, “*Federal Register*, June 8, 2005, p. 33501.

⁴⁰ *Ibid.*, pp. 33500-33501.

⁴¹ Demonstration of Enhanced Services to Children and Youth Who Have Been Exposed to Domestic Violence,” *Federal Register*, June 8, 2005, pp. 33500-33501.

⁴² Discussed in a telephone conversation with the Director of FVPSA Program on Oct. 5, 2005.

⁴³ Demonstration of Enhanced Services to Children and Youth Who Have Been Exposed to Domestic Violence,” *Federal Register*, June 8, 2005, p. 33501.

⁴⁴ The document is called the Greenbook because its cover is green. The Greenbook is a list of 16 principles and 67 recommendations for changing the system of how to assist (continued...)

domestic violence service agencies in more effectively serving families experiencing violence. The Greenbook recommendations are intended to ensure that batterers are held accountable for their actions, and that non-abusing parents are not further victimized.⁴⁵ The recommendations were developed over several months by a diverse, expert committee established by the Family Violence Department of the National Council of Juvenile and Family Court Judges (NCJFCJ)⁴⁶ and published in 1999.

The Greenbook guidelines serve as a structure for the federal demonstration initiative entitled, “Collaborations to Address Domestic Violence and Child Maltreatment.” The federal demonstration project is referred to as the Greenbook Initiative, and is funded by four components of DOJ — the National Institute of Justice (NIJ), VAWO, the Office for Victims of Crime, and OJJDP; and four components of HHS — the Children’s Bureau, and the Office of Community Services both within the Administration for Children and Families, the Family and Intimate Violence Prevention Program at the Centers for Disease Control and Prevention’s National Center for Injury Prevention and Control, and the Assistant Secretary for Planning and Evaluation.⁴⁷

Since FY2001, six communities have been funded through the federal Greenbook Demonstration Initiative. The communities are Santa Clara County, California; San Francisco, California; Lane County, Oregon; El Paso County, Colorado; St. Louis County, Missouri; and Grafton County, New Hampshire. To help the sites reach their goals, funding is provided for the sites, for a national evaluation, and for technical assistance. Grants for the six communities were made by VAWO (including funds for technical assistance), the Children’s Bureau, and NIJ (funds for evaluation).⁴⁸ Support for each community totals \$1.05 million or \$210,000 annually over a five-year period for implementing the Greenbook’s guidelines.⁴⁹

⁴⁴ (...continued)
families in need.

⁴⁵ *The Greenbook Demonstration Initiative: Interim Evaluation Report*, Prepared by the Greenbook National Evaluation Team, Caliber Associates, Education Development Center, Inc., the National Center for State Courts, Dec. 16, 2004, at [http://www.thegreenbook.info/documents/Greenbook_Interim_Evaluation_Reprt_2_05.pdf] (hereafter referred to as *The Greenbook Demonstration Initiative: Interim Evaluation Report*).

⁴⁶ “The Greenbook Initiative: Frequently Asked Questions, Fact Sheet,” at [<http://www.thegreenbook.info/faq.htm>].

⁴⁷ “The Greenbook Initiative: Federal Initiative,” at [<http://www.thegreenbook.info/demo.htm>].

⁴⁸ “The Greenbook Initiative: Federal Initiative.”

⁴⁹ “The Greenbook Initiative: Frequently Asked Questions, Fact Sheet.” This source indicates that the grants are for a three-year period; an HHS spokesman has clarified that the grants are for five years.

An interim report, *The Greenbook Demonstration Initiative: Interim Evaluation Report (The Interim Evaluation Report)*, evaluating the Greenbook Initiative focused on progress at the mid-point of the initiative. In the report, the Evaluation Team indicated that the six community sites had moved from the planning to the implementation phase. The report indicates that the next phase of the evaluation will furnish measurable evidence to determine whether changes actually occurred within several areas in the dependency courts, child welfare, and domestic violence service agencies in the demonstration communities.⁵⁰

New Programs Created in VAWA 2005

As noted earlier, the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005, P.L. 109-162) reauthorized the Safe Havens for Children program. In addition to reauthorizing the Safe Havens program, VAWA 2005 created several new programs intended to serve youth victims of domestic and dating violence, sexual assault, and stalking. These programs are all included in Titles III and IV of P.L. 109-162, and are briefly discussed below.⁵¹

Services to Advocate For and Respond to Youth

The Attorney General in consultation with HHS is authorized to award grants to eligible entities to operate programs to assist youth who are victims of domestic and dating violence, sexual assault, and stalking. To receive such grants, eligible entities must be a nonprofit, nongovernmental group with the primary purpose of providing services that assist teen and young adult victims of domestic and dating violence, sexual assault, or stalking; a community-based group specializing in intervention and prevention services for such youth; a tribe or tribal organization that provides services primarily to assist tribal youth or tribal victims of such violence; or a nonprofit, nongovernmental organization that provide services for runaway or homeless youth affected by domestic or sexual abuse.

Grantees must use funds for designing or duplicating and implementing programs and services using intervention models for domestic and dating violence, sexual assault, and stalking to address the needs of youth who are victims of such violence. Programs must include direct counseling and advocacy and linguistically, culturally and community relevant services for underserved populations (or linkages to such services), and may also include mental health, legal advocacy, work with public officials to help reduce or eliminate violence, and (subject to a 25% limit) additional services such as child care, transportation, educational assistance, and respite care.

⁵⁰ Ibid.

⁵¹ For more background generally on the Violence Against Women Act and VAWA 2005, see CRS Report RL30871, *Violence Against Women Act: History and Federal Funding*, by Garrine P. Laney.

Not less than 7% of the program funds must be available for three-year grants to Indian tribes or tribal groups. The Attorney General must use no more than 2.5% of appropriated funds in any year for administration, monitoring, and grant evaluations; and use not less than 5% of appropriated funds in any year for technical assistance.

VAWA 2005 authorizes \$15 million to be appropriated for each of fiscal years 2007 through 2011 for program grants.

Access to Justice for Youth

The Attorney General through the Director of VAWO is authorized to make two-year grants to eligible entities to assist young victims of dating and domestic violence, sexual assault, and stalking who are between the ages of 12 and 24. The purpose of the grant is to encourage the courts, domestic violence and sexual assault service providers, youth groups and service providers, violence prevention programs, and law enforcement agencies to cross-train and collaborate so that communities can create and carry-out procedures to protect and more generally and efficiently serve young victims. Also, grantees are encouraged, where necessary, to work with other entities, such as community-based supports, that address the safety, health, mental health, social service, housing, and economic needs of youth who are victims of domestic and dating violence, sexual assault, and stalking.

To be eligible for a grant, an applicant must collaborate with a victim service provider that has a documented history of effective work regarding domestic and dating violence, sexual assault, or stalking, and the impact of such violence on young people; and must partner with a court or law enforcement agency. Collaborations also may include batterer intervention or sex offender treatment programs with specified knowledge about and experience working with youth offenders, community-based youth groups that address specific concerns and problems youth face, schools or school-based programs intended to furnish intervention and prevention services to young people experiencing problems, faith-based groups that address problems faced by youth, healthcare entities (that are eligible to be reimbursed under Medicaid), including providers that focus on the special needs of youth, education programs targeting teens about HIV and other sexually transmitted diseases, Indian Health Service, tribal child protective services, the Bureau of Indian Affairs, or the Federal Bureau of Investigation, or may include law enforcement agencies connected with the Bureau of Indian Affairs that provide tribal law enforcement.

Eligible entities must use grant funds to assess and analyze available services for teen and young adult victims. Entities must determine pertinent barriers to such services in a particular area, and work jointly to develop community protocols to address the problems. Furthermore, eligible entities must use funds to create and enhance connections and collaborations between domestic violence and sexual assault service providers and where appropriate, law enforcement agencies, courts, federal agencies, and other groups addressing the safety, health, mental health, social service, housing, and economic needs of young victims of abuse.

When awarding grants, the VAWO Director must give priority to groups submitting applications in partnership with community organizations and service providers that primarily work with young people, particularly teens, and have shown a commitment to working jointly with other groups to cooperatively solve problems related to domestic and dating violence, sexual assault, and stalking in youth populations.

Not less than 10% of appropriated funds in any year must be available to Indian tribal governments to create and sustain collaborations among pertinent tribal justice and social services departments, or domestic violence or sexual assault service providers, to provide culturally appropriate services to Indian women or youth. The VAWO Director must not use over 2.5% of funds in any year to monitor and evaluate grants, or more than 2.5% of funds in any year for administration. Up to 8% of funds in any given year must be available for technical assistance to programs.

No later than one year after the grant period ends, the VAWO Director must prepare, submit to Congress, and make widely available, summaries containing information about the activities implemented by the grantees, and related initiatives the VAWO Director conducted to draw attention to dating and domestic violence, sexual assault, and stalking and how they impact young victims.

VAWA 2005 authorizes \$5 million in each of fiscal years 2007 through 2011 for the program grants.

Grants for Training and Collaboration on the Intersection Between Domestic Violence and Child Maltreatment

This new program is intended to support efforts by providers of services for domestic or dating violence victims, courts, law enforcement, child welfare agencies, and other pertinent professionals and community groups to develop collaborative responses and services, and provide cross-training to improve community responses to families that experience such violence. The HHS Secretary, through the Family and Youth Services Bureau and in consultation with VAWO, must award two-year competitive grants to eligible entities to carry out the grant purpose.

VAWA 2005 authorizes \$5 million for each of fiscal years 2007 through 2011 for these grants. For each fiscal year, the HHS Secretary must use no more than 3% of the funds for evaluation, monitoring, site visits, grantee conferences, and other administrative costs. Also, the Secretary must set aside no more than 7% for grants to Indian tribes to develop programs addressing child maltreatment and domestic or dating violence that are operated by, or in partnership with a tribal group; and set aside up to 8% of funds for technical assistance and training to be conducted by groups that have demonstrated expertise in forming collaborations for community and system responses to families experiencing both child maltreatment and domestic or dating violence. The Secretary also must consider the needs of underserved populations⁵² when awarding grants.

⁵² Underserved populations include “populations underserved because of geographic (continued...) ”

To be eligible for a grant, an entity must collaborate with a state or local child welfare agency or Indian tribe; a provider of domestic or dating violence victim services; a law enforcement agency or Bureau of Indian Affairs providing tribal law enforcement. Also, an entity may include a court, and any other such agencies, or private nonprofit groups and faith-based groups with the ability to effectively assist the child and adult victims served by the collaboration.

Grants to Combat Domestic Violence, Dating Violence, Sexual Assault, and Stalking in Middle and High Schools

The Attorney General through the VAWO Director is authorized to award three-year competitive grants under what is termed the “Supporting Teens Through Education and Protection Act of 2005,” or STEP Act, to middle schools and high schools that work with domestic violence and sexual assault experts. Such grants are intended to empower schools to train school administrators, faculty, counselors, coaches, healthcare providers, security employees and other staff regarding the needs, concerns of, and impact on students who experience domestic and dating violence, sexual assault, or stalking; to develop and implement policies for students either experiencing or who are perpetrators of such violence; to provide support services for students and school staff for developing and enhancing effective prevention and intervention methods for students and personnel experiencing such violence; to provide students with developmentally appropriate education programs regarding such violence and the effects of experiencing those forms of violence by adjusting the existing curricula activities to the relevant student population; to work with existing mentoring programs and develop strong mentoring programs to assist students in understanding violence and recognizing violent behavior and how to prevent it, and how to address their feelings appropriately; and to conduct evaluations assessing the effects of such programs and policies so that developing the programs can be enhanced.

The VAWO Director must distribute any existing DOJ, HHS, and Education Department policy guidance and curricula concerning preventing domestic and dating violence, sexual assault, and stalking, and the effect of such violence on children and youth to middle and high schools.

To be eligible to receive a grant, entities must be in a partnership that includes a public, charter, tribal, or nationally accredited private middle or secondary school, a Department of Defense administered school under 10 U.S.C. 2164 or 20 U.S.C. 921,⁵³ a group of schools, or a school district; a domestic violence victim service provider with a history of working on domestic violence and that understands the effects of violence on children and youth; and a sexual assault victim service provider

⁵² (...continued)

location, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.” P.L. 109-162, 119 Stat. 3008.

⁵³ That is, providing a free public education through high school for defense dependents in overseas areas.

(such as a rape crisis center, a program serving tribal sexual assault victims, or a coalition or other nonprofit nongovernmental group conducting a community-based sexual assault program) with a history of successful work regarding sexual assault and that understands the impact such violence has on children and youth. Partnerships also may include a law enforcement agency, the state, tribal, territorial or local court, nonprofit nongovernmental groups, and service providers addressing sexual harassment, bullying or gang-related violence in schools, and any other such agencies or nonprofit nongovernmental groups with the ability to effectively assist adult, youth, and minor victims.

When awarding grants, the Director must give priority to entities that have submitted applications in partnership with relevant courts and law enforcement organizations. Entities that are members of partnerships must jointly prepare and submit a report to the Director every 18 months with details about activities they have undertaken with grant funds, and any additional information required.

Within nine months after the first full grant cycle is completed, the Director must publicly distribute (including through electronic means), model policies and procedures that were developed and implemented by grantees in middle and secondary schools.

VAWA 2005 authorizes \$5 million to be appropriated for each of fiscal years 2007 through 2011 for program grants. The funds will remain available until expended.

Grants to Combat Violent Crime on College Campuses

The Attorney General is authorized to make grants to higher education institutions or consortia for developing and strengthening security and investigation methods to fight domestic and dating violence, sexual assault, and stalking on campuses, and for developing and strengthening victim services for women on campuses. Consortia may consist of campus personnel, student groups, campus administrators, security personnel, and regional crisis centers allied with the institutions.

The Attorney General must award three-year competitive grants and contracts, through the VAWO Director, in amounts of not more than \$500,000 for individual higher education institutions, and not more than \$1 million for consortia of such institutions. The Attorney General must make every effort to guarantee equitable participation of public and private higher education institutions in grant activities; ensure fair geographic grant distribution among the various regions in the nation; and unbiased grant distribution to tribal colleges and universities, and traditionally Black colleges and universities.

VAWA 2005 authorizes \$12 million for FY2007, and \$15 million for each of fiscal years 2008 through 2011 for this effort.

Grantees may use funds for personnel, training, technical assistance, data collection, and other equipment; training campus administrators, security personnel, and staff who serve on campus disciplinary or judicial boards that develop and put

into practice procedures and services to more efficiently identify and respond to domestic and dating violence, sexual assault, and stalking crimes; implementing and operating violence education programs to prevent domestic and dating violence, sexual assault, and stalking; developing, augmenting, and strengthening victim services programs on campuses; establishing and distributing or otherwise providing assistance and information about options for victims to take punitive or other legal action; developing, installing, or enlarging data collection and communication systems related to domestic and dating violence, sexual assault, and stalking crimes on campus; making capital improvements on campus to address such crimes; and improving coordination among campus administrators, security personnel, and local law enforcement.

Each grantee must submit a biennial performance report to the Attorney General, or funding will be suspended. Furthermore, when the grant period is completed, the institution must file a performance report with the Attorney General and the Secretary of Education about the activities undertaken and an assessment of the effectiveness of those activities in achieving the purposes listed above. In addition, the Attorney General must submit a report to Congress no later than six months after the end of the fiscal year for which grants were awarded. The report must summarize information about the number of grants and amounts awarded, and provide an evaluation of the progress made under the grants; a statistical summary of the people served; and an assessment of the effectiveness of programs funded.

Grants to Assist Children and Youth Exposed to Violence

The Attorney General is authorized through the VAWO Director, and in consultation with the Secretary of HHS to make two-year competitive grants to eligible entities for alleviating the impact of domestic and dating violence, sexual assault, and stalking on children exposed to such violence, and for reducing the risk of becoming future victims of such violence. VAWA 2005 authorizes \$20 million for each of fiscal years 2007 through 2011 for this effort.

When awarding grants, the VAWO Director must consider the needs of underserved populations, and must not award less than 10% of funds to Indian tribes for funding tribal projects, up to 8% for technical assistance programs, and not less than 66% to programs for assisting children exposed to domestic and dating violence, sexual assault, or stalking, or for training, coordinating, and advocating for programs that serve such children and youth.

To be eligible for a grant, an entity must be a victim service provider; tribal nonprofit organization or community-based group with a documented history for successful work concerning children and youth exposed to domestic and dating violence, sexual assault, or stalking; or a state, territorial, tribal, or local government agency that is partnered with such entities.

Grantees must prepare and submit an application to the Director containing whatever information is required; and at a minimum, describe the policies and procedures the entity has or plans to adopt to increase and guarantee the safety of children and their nonabusing parent who have been or are experiencing exposure to violence, and also such individuals who are already experiencing domestic and/or

dating violence, sexual assault, or stalking; and guarantee linguistically, culturally, and community relevant services to underserved populations.

Developing Curricula and Pilot Programs for Home Visitation Projects

The Attorney General, through the VAWO Director, and in consultation with the Secretary of HHS must make two-year competitive grants to home visitation programs, jointly working with victim services providers for developing and implementing model policies and steps to train home visitation service providers about addressing domestic and dating violence, sexual assault, and stalking situations in families experiencing such violence, or that are at risk of violence, in order to reduce the effects of that violence on children, preserve safety, improve parenting skills, and put an end to intergenerational cycles of violence.

The Director must consider the needs of underserved populations; award not less than 7% of appropriated funds for tribal projects; and award up to 8% of funds for technical assistance programs.

VAWA 2005 authorizes \$7 million for each fiscal years 2007 through 2011 for eligible entities to conduct the programs.

To receive a grant, an eligible entity must be a national, federal, state, local, territorial, or tribal home visitation program that provides services to pregnant women or young children and their parent or primary caregiver in their permanent or temporary home, or other familiar surroundings; or a victim services group or agency that works together with a national, federal, state, local, territorial, or tribal home visitation program.

Grantees must prepare and submit an appropriate application to the Director in the manner required, describing the policies and procedures they intend to adopt to improve upon or guarantee the safety and security of children and their nonabusing parent in homes experiencing domestic and dating violence, sexual assault, or stalking; guarantee linguistically, culturally, and community relevant services for underserved communities; ensure adequate training by victim service providers to home visitation program staff; and guarantee that relevant state and local victim service providers and coalitions are aware of the activities of groups receiving grants and are included as training partners, where possible.

Engaging Men and Youth in Preventing Domestic and Dating Violence, Sexual Assault, and Stalking

The Attorney General, through the VAWO Director, and in consultation with the Secretary of HHS must make two-year competitive grants to eligible entities for the purpose of developing and increasing programs to get men and youth to participate in preventing domestic and dating violence, sexual assault, and stalking by helping them develop mutually respectful and nonviolent relationships.

When awarding grants, the Director must consider the needs of underserved populations; award not less than 10% of funds to Indian tribes; and award up to 8% of funds for technical assistance to grantees and non-grantees working in this area.

VAWA 2005 authorizes \$10 million for each of fiscal years 2007 through 2011 for the grant programs.

Eligible entities are nonprofit, nongovernmental victim service providers or coalitions; community-based child or youth services groups that have demonstrated experience and skill in addressing the needs and concerns of youth; and a state, territorial, tribal, or local government unit partnered with either of those organizations just mentioned, or a program providing culturally specific services.

Eligible entities must use funds to develop or improve upon community-based projects, including gender-specific programs that encourage children and youth to seek nonviolent relationships to reduce the risk of becoming either victims or perpetrators of domestic and dating violence, sexual assault, or stalking; or such entities with experience in conducting public education campaigns addressing domestic and dating violence, sexual assault, or stalking must establish public education and community efforts to encourage men and boys to become allies with women and girls to prevent violence against females.

Grantees can use no more than 40% of the funds to create and disseminate media materials.

Centers for Disease Control and Prevention Study

The HHS Secretary, acting through the National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention, is authorized to make grants to entities for supporting research to study prevention and intervention programs to foster the understanding of sexual and domestic violence committed by and against adults, youth, and children. Such entities must include sexual assault coalitions and programs, research groups, tribal organizations, and academic institutions. Research must include evaluating and studying best practices for reducing and preventing violence against women and children, including through strategies focused on underserved communities.

VAWA 2005 authorizes \$2 million for each of fiscal years 2007 through 2011 to carry-out this study.

Public Awareness Campaign

The Attorney General, through VAWO, is authorized to make grants to states for conducting a campaign to increase public awareness about issues related to domestic violence against pregnant women. VAWA 2005 authorizes such sums as necessary to carry-out this effort for each of fiscal years 2006 through 2010.