



May 8, 2012

The Honorable Lamar Smith
Chairman
House Judiciary Committee
2138 Rayburn House Office Building
Washington, DC 20515

The Honorable John Conyers, Jr.
Ranking Member
House Judiciary Committee
2138 Rayburn House Office Building
Washington, DC 20515

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Dear Chairman Smith and Ranking Member Conyers:

RE: ACLU Urges Support for the Nadler, Polis, and Quigley Amendments to Include LGBT Coverage in H.R. 4970, the Violence Against Women Reauthorization Act of 2012 (VAWA)

On behalf of the American Civil Liberties Union (ACLU), a non-partisan organization with more than a half million members, countless additional activists and supporters, and 53 affiliates nationwide dedicated to the principles of individual liberty and justice embodied in the U.S. Constitution and Bill of Rights, we urge you to support three amendments to H.R. 4970 which would include coverage for those who are lesbian, gay, bisexual, or transgender (LGBT). Inclusion of those who are LGBT in VAWA would be a critical step forward for the law, and essential to making sure that its protection reaches those most in need of its services, regardless of their sexual orientation or gender identity.

Nadler Amendment

The Nadler (D-NY) Amendment would add coverage for those who are LGBT to the STOP Grant Program (Sec. 101 of H.R. 4970). STOP funds are used to further collaboration between service providers, prosecutors, and law enforcement to better address domestic violence. The Nadler Amendment would ensure that STOP funds would be available for the purpose of developing, enlarging or strengthening programs or projects to provide services targeting male and female victims of domestic violence whose ability to access services is affected by their sexual orientation or gender identity. The need for this amendment is made clear in the Senate Judiciary Committee's report accompanying S. 1925, the Senate version of VAWA reauthorization, in which the Committee found that programs that primarily

serve gay men have been denied access to STOP funding in the past because they do not predominately address violence against women.¹

Polis Amendment

The Polis (D-CO) Amendment would add sexual orientation and gender identity to the nondiscrimination provision in Sec. 3 of H.R. 4970. VAWA's explicit nondiscrimination coverage would apply to individuals regardless of their actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability. The need for this amendment is made clear by studies showing that LGBT people experience domestic violence at roughly the same rate as the general population.² Yet less than one in five LGBT victims of intimate partner violence receives help from a service provider. The Polis Amendment would establish a single nondiscrimination provision as a universal grant condition which would codify and ensure consistency in federal civil rights protections (including the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act) among programs funded under VAWA.

Quigley Amendment

The Quigley (D-IL) Amendment would add sexual orientation and gender identity to the definition of Underserved Populations in Sec. 3 of H.R. 4970. The Underserved Population Grants would assist organizations in developing and implementing outreach strategies and victim services to overcome barriers faced by certain populations when attempting to access services. As noted above, less than one in five LGBT victims of intimate partner violence receive help from service providers, thereby demonstrating the need for the Quigley amendment. This is a common sense addition which mirrors the definition in the Senate-passed S. 1925, and would greatly help in the development and implementation of outreach strategies and victim services to overcome obstacles faced by LGBT victims of domestic violence.

We urge you to support and vote YES on the Nadler, Polis, and Quigley Amendments to include LGBT coverage in H.R. 4970 and thereby ensure that domestic violence protections extend to all who suffer its harms. For questions, please contact Ian Thompson at (202) 715-0837 or ithompson@dcaclu.org.

Sincerely,



Laura W. Murphy
Director, Washington Legislative Office



Ian S. Thompson
Legislative Representative

Cc: Members of the House Judiciary Committee

¹ S. REP. NO. 112-153, at 5 (2012).

² NATIONAL CENTER FOR VICTIMS OF CRIME & NATIONAL COALITION OF ANTI-VIOLENCE PROGRAMS, WHY IT MATTERS: RETHINKING VICTIM ASSISTANCE FOR LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER VICTIMS OF HATE VIOLENCE & INTIMATE PARTNER VIOLENCE 5 (2010), *available at* <http://www.avp.org/documents/WhyItMatters.pdf>.