



Sexual & Domestic Violence Advocates ask you to **Vote “NO” on SB 174**

SB 174 violates federal law & jeopardizes funding from the Department of Justice

- Federal Law requires protective orders (POs) to ONLY be enforced against the respondent and not the petitioner, unless the respondent cross-filed a separate written pleading or petition for a PO and the issuing court made specific findings that both parties are entitled to protection from abuse. Inclusion of an affirmative defense for respondents who willfully violate a PO – and the possibility of imposing conditions or restrictions on the petitioner as a result of that violation – is in violation of federal law and national best practices.
- Local sexual and domestic violence agencies who receive federal funding from the Violence Against Women Act sign grant assurances and certifications that require compliance with federal law as a condition of receiving those funds - see *18 U.S.C. § 2265(c)*. The passage of SB 174 may result in the loss of millions of dollars of federal funding for victim services in VA.

SB 174 discourages victims from seeking safety.

- Abusers frequently use the courts to exert power and control over their victims. Abusers already use the “she invited me over”, or “she contacted me” defense when charged with a violation of a PO. This language creates another avenue for an abuser to harass and further abuse the victim.
- It is unclear whether this bill would allow judges to hold victims of domestic violence who are found to have “initiated or instigated contact” in contempt of court, including imposing jail time, as a condition of violating their own PO.

SB 174 undermines the authority of the Court and the effectiveness of an order.

- In PO cases, evidence is provided that acts of violence/family abuse have occurred, and the court issues an order based on those facts. The court advises respondents that the order applies to them and that the respondent is in control of their behavior. Even if the petitioner “invites” them to violate the order, the respondent is expected to comply with the law.

SB 174 (Peake) is strongly opposed by Virginia’s 67 sexual and domestic violence agencies, and we urge you to **vote “NO” on this bill.**