IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

RHODE ISLAND COALITION AGAINST DOMESTIC VIOLENCE, et al., *Plaintiffs*, v. PAMELA BONDI, et al., *Defendants.*	Civil Case No. 1:25-cv-00279-WES **AMICUS BRIEF OF RHODE ISLAND, COLORADO, THE DISTRICT OF COLUMBIA, ARIZONA, CALIFORNIA, CONNECTICUT, DELAWARE, HAWAI'I, ILLINOIS, MAINE, MARYLAND, MASSACHUSETTS, MICHIGAN, MINNESOTA, NEVADA, NEW JERSEY, NEW MEXICO, NEW YORK, OREGON, VERMONT, WASHINGTON, AND WISCONSIN IN SUPPORT OF PLAINITFFS**

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INTRODUCTION AND INTERESTS OF THE AMICI CURIAE STATES

Amici States[1] have a profound and enduring interest in promoting public safety by preventing and prosecuting domestic violence, sexual assault, dating violence, and stalking.[2] Violence Against Women Act ("VAWA") funding plays a vital role in supporting law enforcement, courts, and the state and local programs that ensure that survivors receive the advocacy, shelter, legal aid, and culturally competent care they need. The integrity and stability of the federal-state partnership under VAWA is critical to the States' ability to fulfill their public safety obligations. And Plaintiffs and their member organizations play a central role as partners in the community-coordinated response that has proven effective at reducing domestic violence.

Plaintiffs contend that the new funding conditions imposed by the U.S. Department of Justice ("DOJ") and its Office on Violence Against Women ("OVW") present state domestic violence coalitions and their member organizations with the untenable choice of either rejecting funding vital to carrying out their missions, or curtailing services that provide crucial support to survivors of domestic violence. This could jeopardize public safety in Amici States. The States have long relied on

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[1] The Amici here are the states of Arizona, California, Connecticut, Colorado, Delaware, Hawai'i, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Washington, and Wisconsin and the District of Columbia.

[2] VAWA seeks to prevent a wide range of violent crime including domestic violence, stalking, sexual assault, and dating violence against all people. For the purposes of this brief, references to domestic violence are intended to include the range of crimes addressed by VAWA unless context otherwise requires.

grantees of VAWA funds to develop services for victims of domestic violence that, consistent with VAWA's requirements, are survivor-centered, inclusive, and collaborative. And VAWA-funded programs have led to a dramatic reduction in domestic violence. The States have a strong interest in ensuring that federally funded domestic violence programs can continue to provide services to domestic violence survivors, as this work is essential to public safety in our jurisdictions.

SUMMARY OF THE ARGUMENT

Since 1994, the Violence Against Women Act has made individuals, communities, Amici States, and the Nation safer. VAWA has transformed how law enforcement, courts, and community organizations respond to domestic violence. Over the past 30 years, and on a bipartisan basis, Congress has made more than $11 billion in VAWA funding available to support training for law enforcement, medical care, hotlines, shelters, services, and other services, in an effort to keep victims safe and facilitate the prosecution of abusers. Thanks to VAWA, Amici States and communities across the country have seen a decline in domestic violence.

The Plaintiffs in this case are on the front lines of this critically important work. Plaintiffs challenge funding conditions that prohibit using VAWA funds for certain "Out-of-Scope" activities—including those that "promot[e]" "'diversity, equity, inclusion, and accessibility' programs," "gender ideology," and "prioritize illegal aliens over U.S. citizens and legal residents." *See, e.g.,* DOJ, Off. on Violence Against Women, *OVW Fiscal Year 2025 State and Territory Domestic Violence and Sexual Assault Coalitions Program* 9–10 (2025), https://www.justice.gov/ovw/

media/1400746/dl?inline. Moreover, DOJ has threatened to bring civil False Claims Act ("FCA") actions and criminal charges against grantees that purportedly violate these conditions. *See* Letter from Todd Blanche, Deputy Attorney General, to DOJ Offices, Divisions, and U.S. Attorneys (May 19, 2025), https://www.justice.gov/dag/media/1400826/dl?inline=&utm_medium=email&utm_source=govdelivery; DOJ, Off. on Violence Against Women, *FY25 General Terms and Conditions* § 15 (2025), https://www.justice.gov/ovw/media/1389366/dl?inline. The effect of the "Out-of-Scope" conditions and the threat of DOJ prosecution may impact the willingness of community organizations to provide much-needed services to domestic violence survivors jeopardizes the Amici States' interest in public safety and maintaining a coordinated, lawful, and effective response to domestic violence.

ARGUMENT

I. Reducing or limiting services to domestic violence survivors will undermine public safety and harm state interests.

A. VAWA's history and text support broad, inclusive, and survivor-centered services to bolster public safety.

With broad bipartisan support, Congress enacted VAWA in 1994 to address the inadequacy of law enforcement responses to incidents of domestic violence. While rates of domestic violence escalated in the decades leading up to VAWA's enactment, arrest rates for perpetrators remained low. *See, e.g.*, 140 Cong. Rec. 22895 (1994) (statement of Rep. Maloney) ("Out of 178,000 radio calls to the police relating to domestic violence, less than 7 percent result in arrests. Clearly, we need to train our police better [than] we have been doing. [VAWA] will accomplish that goal.").

Members of Congress understood that domestic violence was not only a problem within families, but also presented a threat to broader public safety, endangering the lives of the victims, their family members, community members, and law enforcement responding to these crimes. *See, e.g.*, 141 Cong. Rec. 20519 (1995) (statement of Rep. Schroeder) ("[D]omestic violence is not just a private matter anymore; these private dramas are spilling out into public places, endangering family members and strangers."); Consolidated Appropriations Act of 2022, Pub. L. No. 117-103, § 801, 136 Stat. 49, 896–897. At the time, however, the infrastructure did not exist to adequately respond to domestic violence incidents and provide necessary services to survivors. To ensure local law enforcement and criminal justice systems could bridge this gap in public safety and community organizations could provide supportive services to victims, Congress decided to authorize and appropriate funding for VAWA grants.

VAWA funding is vital to robust law enforcement, judicial, and community responses to domestic violence. These grants "provide personnel, training, technical assistance, data collection and other equipment for the more widespread apprehension, prosecution, and adjudication of persons committing violent crimes against women." Violent Crime Control and Law Enforcement Act of 1994, Pub. L. 103-322, § 40121, 108 Stat. 1796, 1910 (codified as amended at 34 U.S.C. § 10441(b)). Congress also set aside funds for community organizations to provide advocacy and other services for survivors of domestic violence. *See* Violent Crime Control and Law Enforcement Act of 1994, Pub. L. 103-322, § 40121, sec. 2002, 108 Stat. 1796, 1911–

1913 (codified as amended at 34 U.S.C. § 10446). Among the early VAWA funding initiatives were the STOP (Services, Training, Officers, and Prosecutors) Formula Grants, the Improving Criminal Justice Responses Program, and the Rural Program—all of which support a coordinated community response to domestic violence, sexual assault, dating violence, and stalking. In addition to providing training to law enforcement, these programs also facilitate collaboration between law enforcement, prosecutors, courts, and victim services organizations. OVW submitted testimony in support of a subsequent VAWA reauthorization underscoring the fundamental role that the coordinated community response plays in reducing domestic violence:

> Through the spirit of the [Violence Against Women] Act . . . coordinated community response, we have learned that victims are safer and justice is better served when a shelter worker has a strong working relationship with law enforcement and the district attorney, when an emergency room nurse knows to call an advocate when treating a sexual assault victim, when a prosecutor works with law enforcement to build an evidence-based case against a domestic violence offender, when a judge, working with probation, requires frequent judicial review, supervision, and batterer intervention for the abuser in a domestic violence case.

Reauthorization of the Violence Against Women Act, Hearing Before the S. Comm. on the Judiciary, 109th Cong 7–8 (2005) (statement of Diane M. Stuart, Director, Off. on Violence Against Women, DOJ).

From VAWA's inception, Congress has focused on ensuring that *all* victims receive the support they need. The first version of the Act expressly directed funding to underserved communities, including those isolated by geography, language, race, or culture. *See, e.g.*, Violence Against Women Act of 1994, Pub. L. No. 103-322, §§

40121, 40151, 108 Stat. 1796, 1913, 1920. It also created immigration protections for noncitizen survivors, allowing them to petition for legal status independent of abusive spouses. *See id.* § 40701, 108 Stat. at 1953–1955.

Over the past 30 years, Congress repeatedly reauthorized and updated VAWA on a bipartisan basis. Each bipartisan reauthorization has broadened VAWA, expanded available resources, and placed increased emphasis on ensuring that underserved and vulnerable populations receive VAWA-funded services. Of note, Congress expanded protection for undocumented crime victims in 2000, creating the T and U visa programs to enable these victims to assist law enforcement. *See* 8 U.S.C. § 1101(a)(15)(T), (U). Congress created the "culturally specific services" grant in 2005. 34 U.S.C. § 20124(a). And in recognition that domestic violence can occur in any kind of relationship—regardless of where a victim lives, whom they love, or their immigration status—the VAWA Reauthorization Act of 2013 added a civil rights provision prohibiting discrimination "on the basis of actual or perceived race, color, religion, national origin, sex, gender identity . . . sexual orientation, or disability." *See* 34 U.S.C. § 12291(b)(13).

Many of the programs and services supported by VAWA funding did not exist before 1994. Before VAWA, there was no national hotline for people experiencing domestic violence. *The Violence Against Women Act Turns Ten!*, Notice Newsletter (Nat'l Ctr. on Domestic and Sexual Violence, Austin, Tex.), Fall 2004, at 6, https://www.ncdsv.org/uploads/1/4/2/2/142238266/noticenewsletterncdsvfall04.pdf. Sexual assault victims often had to pay for their own medical exams, which were

rarely conducted by a nurse trained in forensic examinations. Janine M. Zweig, *What You Should Know About Victims Who Get Billed for Rape Exams*, Urban Institute, Oct. 17, 2014, https://www.urban.org/urban-wire/what-you-should-know-about-victims-who-get-billed-rape-exams. Shelters had less funding. Law enforcement did not have special victims units. And the protections offered to domestic violence victims varied widely across states. But over VAWA's thirty-year history, Congress appropriated—on a bipartisan basis—over $11 billion to support programs across all 50 states, territories, and Tribal nations. DOJ, Off. on Violence Against Women, *30 Years of the Violence Against Women Act: A Legacy and Future of Safety and Justice* 3 (Jan. 2025), https://www.justice.gov/archives/ovw/media/1385701/dl?inline. The changes VAWA instigated have been critical to the country's infrastructure and response to violent crime and are now well-established elements of Amici States' public safety strategies.

B. VAWA has dramatically improved public safety in the United States, including in Amici States.

VAWA's positive effects on public safety were immediate and substantial. In less than two decades, the domestic violence rate in the United States fell by 64%, and the total number of victimizations decreased from approximately 2.1 million 1994, when VAWA was enacted, to about 907,000 in 2010. *See* Shannan Catalano, DOJ, Bureau of Just. Stat., *Intimate Partner Violence, 1993–2010* 1 (Sep. 29, 2015), https://bjs.ojp.gov/content/pub/pdf/ipv9310.pdf. This substantial improvement has endured, with rates in recent years stabilizing around 4.2 victimizations per 1,000 people, compared to 14.1 per 1,000 people in 1994. USAFacts Team, *Data Says*

Domestic Violence Incidents Are Down, but Half of All Victims Don't Report to Police, USAFacts (Oct. 21, 2021), https://usafacts.org/articles/data-says-domestic-violence-incidents-are-down-but-half-of-all-victims-dont-report-to-police/ (citing DOJ, Bur. of Just. Stats.).

These declines reflect not only national trends in violent crime but also the specific, targeted interventions VAWA funding made possible. A 2009 nationwide study assessing more than 10,000 jurisdictions over seven years found that VAWA funding—particularly resources directed toward local law enforcement—was associated with reductions in rape and assault rates, even after controlling for broader decreases in crime and other funding streams. *See* Rachel Boba & David Lilley, *Violence Against Women Act (VAWA) Funding: A Nationwide Assessment of Effects on Rape and Assault*, 15 Violence Against Women 168 (Feb. 2009), https://doi.org/10.1177/1077801208329146.

VAWA has also transformed how the criminal justice system responds to domestic violence. According to OVW, VAWA-funded initiatives have increased victim reporting, improved law enforcement responses, and facilitated system-wide implementation of trauma-informed practices. *See* DOJ, Off. on Violence Against Women, *Answering the Call: Thirty Years of the Violence Against Women Act* 2, 6–8, 10 (Sep. 2024) [hereinafter *Thirty Years of VAWA Report*], https://www.justice.gov/archives/ovw/media/1367476/dl?inline; Monica N. Modi, Sheallah Palmer & Alicia Armstrong, *The Role of Violence Against Women Act in Addressing Intimate Partner Violence: A Public Health Issue*, 23 J. Women's Health 253, 254 (2014),

https://pmc.ncbi.nlm.nih.gov/articles/PMC3952594/pdf/jwh.2013.4387.pdf. Law enforcement agencies now routinely include victim advocates in their work, streamline protective order enforcement, and implement evidence-based prosecution strategies. *See Thirty Years of VAWA Report* at 3, 9, 21–25. VAWA has also promoted the growth of coordinated community response models, including Sexual Assault Response Teams, and spurred investments in forensic tools like sexual assault kit testing—strategies that have increased conviction rates even when victims are unable or unwilling to testify. *See* DOJ, Off. on Violence Against Women, *2024 Biennial Report to Congress on the Effectiveness of Grant Programs Under the Violence Against Women Act* (Dec. 13, 2024) [hereinafter *2024 OVW Report*], https://www.justice.gov/ovw/media/1385821/dl?inline; *see also* Wesley G. Jennings, Ráchael A. Powers & Nicholas M. Perez, *A Review of the Effects of the Violence Against Women Act on Law Enforcement*, 27 Violence Against Women 69 (Jan. 2021), https://doi.org/10.1177/1077801220949694.

The scale of VAWA-supported services is similarly significant. Each year, over 500,000 professionals—including police officers, prosecutors, judges, and advocates—receive training through VAWA programs. *See 2024 OVW Report* at 25. In a 12-month period, VAWA funding supports the provision of more than 2 million individual services to survivors of domestic violence, dating violence, sexual assault, and stalking, and enables grantees to answer 500,000 hotline calls and obtain over 180,000 protection orders. *Id.* at 23–25. VAWA's reach has also extended meaningfully into underserved communities. Roughly one in five survivors served

by VAWA programs lives in a rural area, and thousands more come from culturally specific or marginalized groups including those with disabilities, seniors, immigrants, and LGBTQ+ individuals. *Id.* at 26, 56, 86, 106.

C. If Plaintiffs do not receive VAWA funding, efforts to ensure public safety and victim protection will be undermined.

Plaintiffs argue that the "Out-of-Scope" funding conditions and DOJ's threats to pursue prosecution will force them either to forgo federal funds or to curtail or outright eliminate key services for survivors of domestic violence. This threatens to destabilize the victim services and law enforcement ecosystems in Amici States and could have a particularly harmful impact on underserved populations that receive critical protections under VAWA. For example, Congress expressly authorized the use of VAWA funds to "provid[e] assistance to victims of domestic violence and sexual assault in immigration matters," including support related to T and U visas. 34 U.S.C. § 10441(b)(10); *see also id.* § 10441(b)(1) (authorizing training for law enforcement on immigrant protections).[3] To the extent Plaintiffs cease providing these statutorily permitted services, it may be more difficult for immigrant and noncitizen domestic violence survivors to seek help from or cooperate with advocates,

[3] The U visa was created by Congress "as a form of relief for undocumented survivors who are willing to help police and prosecutors hold their abusers accountable but fear being deported if they report their victimization." *Thirty Years of VAWA Report* at 5. T visas offer similar protection to victims of human trafficking who aid law enforcement in the detection, investigation, or prosecution of trafficking crimes. U.S. Citizenship and Immigr. Serv., *Victims of Human Trafficking: T Nonimmigrant Status* (May 16, 2025), https://www.uscis.gov/humanitarian/victims-of-human-trafficking-t-nonimmigrant-status.

law enforcement, or prosecutors, leaving their perpetrators free to continue the cycle of sexual or domestic violence. Leaving this portion of the population vulnerable to abuse would directly undermine public safety in Amici States.

If VAWA grantees are unable to continue their operations, the consequences for victims and public safety will be immediate and profound. In many communities, VAWA is the backbone of support for survivors of sexual and domestic violence, especially in rural areas where alternatives are scarce. Survivors and the law enforcement officers investigating these crimes depend on VAWA-funded programs like 24/7 hotlines, emergency housing, legal advocacy, forensic examinations, and trauma counseling. Without this funding, some victims—especially those without financial means or transportation to access alternative services—may have no place to turn for safety, endangering their wellbeing and placing additional strain on scarce state resources to fill the gap.

For victims in underserved communities, VAWA-funded providers are often the only viable resource available. These organizations build trust over years of localized, trauma-informed practice. Disrupting their operations not only cuts off access to immediate help but erodes long-standing relationships that are essential to survivor safety and recovery.[4] The chilling effect on referrals, partnerships, and

[4] VAWA grantees are required to work with community partners to ensure "an effective, coordinated community response" to domestic and sexual violence. DOJ, Off. on Violence Against Women, *2022 Biennial Report to Congress on the Effectiveness of the Grant Funds Under the Violence Against Women Act* 9 (2022), https://www.vawamei.org/wp-content/uploads/2024/05/2022-Biennial-Report-to-Congress_FINAL.pdf. The resulting partnerships between community actors like

staff recruitment also compounds the isolation and fear victims already experience when navigating systems of protection.

Limiting funding and reducing programming would also disrupt the supportive networks that encourage reporting and cooperation with law enforcement. Fewer trained advocates and nurses would mean fewer reports, less evidence, and weaker prosecutions—triggering a downward spiral of underreporting, reduced accountability, and increased danger for survivors. Moreover, if nonprofit organizations that provide domestic violence training to law enforcement can no longer obtain critical VAWA funds, this will leave officers less equipped to spot and respond to abuse, and less trusted by the communities they serve. When trusted organizations are forced to decline funding or close programs due to uncertainty, victims are left with fewer options, greater risk, and longer waits for critical care.

Finally, for the past thirty years, Amici States have reasonably relied upon VAWA grantees, like the Plaintiff coalitions, to provide crucial resources in the fight against violent crime. If Plaintiffs are unable to receive funding from OVW, Amici States are unlikely to be able to suddenly pivot, mid-year, to replace the substantial

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victim service providers and criminal justice agencies have "improve[d] the quality of services and the effectiveness of the justice system response, and help[ed] build a system where every victim can find the support they need and no one falls through the cracks." *Id.* The impact of survivors' access to victim advocates, in particular, is meaningful. For example, rape survivors who receive assistance from a victim advocate are significantly more likely to have a police report taken and to have their case investigated. Rebecca Campbell, *Rape Survivors' Experiences with the Legal and Medical Systems: Do Rape Victim Advocates Make a Difference?*, 12 Violence Against Women 30, 39 (Jan. 2006), https://doi.org/10.1177/1077801205277539.

amount of VAWA funding that each organization would have usually received this year. Amici States have already developed their annual budgets—especially programs targeted at reducing domestic violence—on the assumption that funding appropriated by Congress for the Plaintiff organizations will remain available.[5]

Procedural hurdles also make it impossible for many Amici States to step in for OVW. For example, the Colorado Legislature is now in recess until early 2026 and cannot revise its appropriations. The same is true for Minnesota and Maine. Moreover, even in the long term, many states will likely not be able to fully replace the loss of OVW funding to Plaintiffs. State budgets are often constrained by balanced budget requirements, revenue limitations, and competing priorities across education, infrastructure, and health care. In many jurisdictions—particularly rural and underserved ones—VAWA grants provide funds critical to the continued operation of domestic violence service providers that would be virtually impossible to replicate through state appropriations or private philanthropy. A lack of sustained and predictable federal investment will lead to gaps in safety nets and widening inequities in access to justice and recovery.

CONCLUSION

Plaintiffs' motion for a preliminary injunction should be granted.

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[5] Indeed, for Fiscal Year 2024, Congress appropriated over $700 million for VAWA programs. DOJ, Off. on Violence Against Women, *Organization, Mission, and Functions Manual: Office on Violence Against Women,* https://www.justice.gov/doj/organization-mission-and-functions-manual-office-violence-against-women (last visited July 10, 2025).

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Respectfully Submitted,

PETER F. NERONHA
Attorney General
State of Rhode Island

/s/Patrick Reynolds
Patrick Reynolds, #10459
Special Assistant Attorney General
150 South Main Street
Providence, RI 02903
Tel: (401) 274-4400, Ext. 2019
Fax: (401) 222-3016
preynolds@riag.ri.gov

PHILIP J. WEISER
Attorney General
State of Colorado

NORA PASSAMANECK
Senior Assistant Attorney General
SHALYN KETTERING
Senior Assistant Attorney General
FINNUALA TESSIER
Assistant Attorney General
Colorado Department of Law
1300 Broadway, 10th Floor
Denver, CO 80203
Phone: (720) 508-6000
Shalyn.Kettering@coag.gov

BRIAN SCHWALB
Attorney General
District of Columbia

ELIZA H. SIMON
Senior Counsel to the Attorney General
NICOLE S. HILL
Assistant Attorney General
400 6th Street N.W., 10th Floor
Washington, D.C. 20001
(202) 727-4171
Nicole.Hill@dc.gov

KRISTIN K. MAYES
Attorney General
State of Arizona
2005 N. Central Ave.
Phoenix, AZ 85004

WILLIAM TONG
Attorney General
State of Connecticut
165 Capitol Ave.
Hartford, CT 06106

ANNE E. LOPEZ
Attorney General
State of Hawai'i
425 Queen St.
Honolulu, HI 96813

AARON M. FREY
Attorney General
State of Maine
6 State House Station
Augusta, ME 04333

ANDREA JOY CAMPBELL
Attorney General
Commonwealth of Massachusetts
One Ashburton Pl.
Boston, MA 02108

KEITH ELLISON
Attorney General
State of Minnesota
102 State Capitol
75 Rev. Dr. Martin
Luther King Jr. Blvd.
St. Paul, MN 55155

MATTHEW J. PLATKIN
Attorney General
State of New Jersey
25 Market St.
Trenton, NJ 08625

ROB BONTA
Attorney General
State of California
1300 I St.
Sacramento, CA 95814

KATHLEEN JENNINGS
Attorney General
State of Delaware
820 N. French St.
Wilmington, DE 19801

KWAME RAOUL
Attorney General
State of Illinois
115 S. LaSalle St.
Chicago, IL 60603

ANTHONY G. BROWN
Attorney General
State of Maryland
200 Saint Paul Pl.
Baltimore, MD 21202

DANA NESSEL
Attorney General
State of Michigan
P.O. Box 30212
Lansing, MI 48909

AARON D. FORD
Attorney General
State of Nevada
100 N. Carson St.
Carson City, NV 89701

RAÚL TORREZ
Attorney General
State of New Mexico
408 Galisteo St.
Santa Fe, NM 87501

LETITIA JAMES
Attorney General
State of New York
28 Liberty St.
New York, NY 10005

CHARITY R. CLARK
Attorney General
State of Vermont
109 State St.
Montpelier, VT 05609

JOSH KAUL
Attorney General
State of Wisconsin
P.O. Box 7857
Madison, WI 53707

DAN RAYFIELD
Attorney General
State of Oregon
1162 Court St. NE
Salem, OR 97301

NICHOLAS W. BROWN
Attorney General
State of Washington
800 Fifth Ave., Suite 2000
Seattle, WA 98104-3188

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