



Domestic Violence Cases AndThe Interaction Of Criminal Law WithThe Violence Against Women Act (Vawa) In 2025

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This paper reveals how criminal law and the Violence Against Women Act (VAWA) interact in addressing domestic violence cases in the United States as of 2025. It examines how VAWA adds extra layers of protection for survivorssuch as funding for shelters, legal support, and immigration relief, while criminal law focuses on prosecuting offenders through evidence and legal definitions. The review also highlights that although VAWA has strengthened support systems, and increased awareness, criminal cases still face major problems. These include unclear definitions of abuse across states, difficulties in gathering evidence, low reporting rates, and slow court processes. However, Immigrant survivors often experience additional barriers including fear of deportation, and or lack of information about their rights. Therefore, this review paper concludes that with better coordination between criminal justice, and immigration agencies, there will be consistent definitions, improved law enforcement training, and expanded legal assistant that can make the system more responsive, and fair for all survivors.

Keywords: *Domestic Violence, Criminal Law, Violence against Women Act, Prosecution.*



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1. Introduction

Domestic violence (DV) remains a major social, and legal problem in the United States, cutting across race, class, gender, and immigration status. Accordingly, the United States Centers for Disease Control and Prevention (CDC) estimates that about one in four women, and one in ten men experience

physical violence, sexual violence, or stalking by an intimate partner during their lifetime (CDC, 2023). Despite years of advocacy and legal reform, many survivors are still faced with barriers in getting protection, and justice; often times, barriers that often arise from how criminal law operates in practice.

To address these challenges, the Violence Against Women Act (VAWA) was first established in 1994, and has since been reauthorized several times, most recently in 2022. However, VAWA represents a landmark in United States federal policy by combining legal, financial, and social measures to reduce gender-based violence ([Congress.gov, 2023](#)). It also provides civil protections such as restraining orders, funds for shelters and victim services, criminal justice training, and immigration-related relief for non-citizen survivors abused by United States citizens or lawful permanent residents ([Department of Justice \[DOJ\], 2024](#)).

However, criminal law and VAWA do not always agree perfectly. While VAWA is focused on protecting survivors and empowering them to seek justice, criminal law on the other hand is mainly designed to punish offenders under specific legal definitions of assault, battery, and related crimes. Therefore, the success of any criminal prosecution depends on evidence, police response, and how judges and juries interpret those laws ([Bonomi et al., 2020](#)).

In most cases, what VAWA promises in terms of safety and support is limited by how criminal law is enforced, or by survivors' fear of retaliation, stigma, or immigration consequences if they report abuse ([American Bar Association \[ABA\], 2025](#)).

2. Aim and objectives

This review explores how criminal law interacts with VAWA as of 2025. It examines:

The objectives are:

- The legal frameworks and definitions of domestic violence under both state and federal law.
- The practical challenges in prosecution and evidence gathering.
- Special considerations for immigrant survivors seeking legal protection under VAWA.
- Recent policy updates and reforms in VAWA and related criminal statutes.
- Research findings on how effective these systems have been in protecting survivors and reducing violence.
- Furthermore, the overall aim is to identify where the United States system works well, where there are gaps, and how law enforcement, courts, and

policymakers can strengthen the relationship between criminal law, and VAWA to improve justice and safety for survivors.

3. Methods

This review uses a narrative approach to explore how criminal law interacts with the Violence against Women Act (VAWA) in addressing domestic violence cases in the United States as of 2025. However, a narrative review was chosen because it allows for the integration of findings from different types sources including legal, policy, and social science, rather than depending on a particular research design ([Green et al., 2018](#)).

Additionally, the review examined a range of primary and secondary materials published up to early 2025. Primary materials included the text of VAWA and its re-authorizations, as well as state statutes defining and prosecuting domestic violence ([Congress.gov, 2023](#)). consequently, secondary materials included government reports, such as those from the United States Department of Justice (DOJ), the Office on Violence Against Women (OVW), and the Department of Housing and Urban Development (HUD), which provide data on implementation and results of VAWA-related programs ([DOJ, 2024; OVW, 2023; HUD, 2023](#)).

To ensure a comprehensive understanding, I also reviewed peer-reviewed journal articles, legal commentaries, and advocacy reports from recognized organizations such as the American Bar Association (ABA), and the National Network to End Domestic Violence (NNEDV). These sources helped to highlight the practical problems survivors encounter, and the legal gaps between policy and enforcement ([ABA, 2025; NNEDV, 2024](#)).

On top of that, because domestic violence cases often cross many areas of law such as criminal, civil, and immigration, this review intentionally draws from interdisciplinary sources. For example, it considers both legal scholarship on prosecution, and sentencing as well as social policy research on survivor safety and access to justice ([Miller, 2024](#)). Furthermore, when reviewing the literature, attention was given to works that provided empirical data such as statistics on arrests,

prosecutions, convictions, and VAWA petition outcomes and those that discussed recent legal reforms or barriers to justice in practice, with an aim to summarize existing laws, as well as to identify how effectively these laws work together to protect survivors of domestic violence.

4. VAWA and Criminal Law

4.1. *The Violence against Women Act (VAWA)*

The Violence against Women Act (VAWA) was first passed in 1994 to improve how the United States responds to domestic violence, sexual assault, dating violence, and stalking. The law provides federal funding to support law enforcement agencies, prosecutors, and service providers who work with survivors ([Congress.gov, 2023](#)). Moreso, through programs such as STOP (Services, Training, Officers, and Prosecutors), VAWA helps train police officers, encourage prosecution efforts, and expand access to shelters and counseling services for victims.

For the past years, VAWA has been reauthorized in 2000, 2005, 2013, and most recently in 2022 with each re-authorization widening its scope. The law now includes a range of civil protections, including restraining orders, access to safe housing, and the right to legal and medical assistance. Most importantly, VAWA also provides immigration relief through provisions like the VAWA self-petition and U visa, which protect immigrant survivors who have suffered abuse from United States citizens, or lawful permanent residents ([HUD.gov, 2023](#); [ABA, 2025](#)).

According to [DOJ, \(2024\)](#), VAWA has expanded the legal understanding of violence. It also recognizes that abuse is not limited only to physical acts, but includes psychological, emotional, sexual, and economic abuse, as well as stalking and digital harassment. Hence, this definition shows that the growing recognition that domestic violence can take many forms and that survivors need protection beyond physical safety.

4.2 Criminal Law: Basic Principles and Challenges

While VAWA sets national standards and funding major priorities, criminal law in the United States is primarily handled at the state

level. Each state defines domestic violence differently, in that; what counts as assault, battery, or partner abuse can vary significantly. Some states take a narrower view, with a focus on physical harm, while others agree more closely with VAWA's broader definition that includes emotional, or psychological abuse ([DOJ, 2024](#)).

Another problem encountered is reporting and evidence collection. Many survivors do not report abuse due to fear of retaliation, shame, financial dependence, or immigration concerns. When cases are reported, evidence such as medical reports, police statements, or witness testimony may be incomplete or inconsistent, thus; making prosecution difficult ([OVW, 2023](#)).

Even when an arrest is made, prosecution rates remain low. Prosecutors may choose not to file charges if the evidence seems poor, and courts sometimes dismiss, or reduce charges, especially in cases that involve first-time offenders, and or misconducts. Furthermore, sentences vary, depending on the jurisdiction and the judge's discretion. These gaps reveal the ongoing tension between federal policy objectives under VAWA, and the practical realities of criminal prosecution at the state level ([Johnson and Perez, 2024](#)).

5. Recent Reforms and Case Examples

Between 2023 and 2025, several legal developments in the United States have shaped how criminal law, and the Violence Against Women Act (VAWA) work together to protect survivors of domestic violence. These is a testament of both federal and state-level efforts in an attempt to strengthen victim protection, improve prosecution, and address issues such as digital abuse and gun violence.

5.1 The VAWA Reauthorization Act of 2022

The VAWA Re-authorization Act of 2022 remains the most significant federal reform, which became effective in 2023. This re-authorization renewed and expanded funding for victim services, law enforcement training, and prosecution support programs ([Congress.gov, 2023](#)). In addition, it also created new grant initiatives for underserved communities and survivors affected by technology-facilitated abuse, such as

cyberstalking, online harassment, and the non-consensual sharing of intimate images (DOJ, 2024).

Most importantly, the 2022 Act encouraged tribal criminal jurisdiction, thereby; allowing recognized tribal governments to prosecute non-Native offenders for crimes of domestic violence, dating violence, and violations of protection orders that occur on tribal lands (OVW, 2023). This marks an important step toward justice for Indigenous survivors, who in history has faced legal flaws due to jurisdictional limits (National Congress of American Indians, 2023).

5.2 Firearms Restrictions and Enforcement

Another major area of reform is the restrictions of firearms for domestic abusers. Under the 2022 VAWA re-authorization act, Congress stressed on improved mechanisms to deny individuals convicted of misdemeanor domestic violence, or subject to restraining orders access to firearms (NCDSV, 2024). These provisions is in agreement with ongoing efforts by the Department of Justice, and local law enforcement agents to prevent domestic incidents, as findings consistently links gun access with higher rates of intimate partner homicide (Zeoli et al., 2021).

5.3 Karina's Law

Karina's Law is a state law in Illinois, legalize in 2025. It demonstrates how state criminal law can complement VAWA's federal protections. However, the law requires police to seize firearms from individuals under orders of protection within a defined duration and authorize a strict enforcement to follow-up when abusers fail to surrender their weapons voluntarily (Illinois State Legislature, 2025). As the name implies, "Karina Gonzalez", a woman murdered by her distant husband despite an active protection order, the law points to the need of effective implementation of federal standards at the state level (Chicago Tribune, 2025).

6. The implications of these laws

These reforms reveal a wide policy trend toward addressing both the traditional, and emerging forms of domestic violence. However, federal updates through VAWA ensure an

agreeable framework across states, while laws like *Karina's Law* demonstrate the localized application of these principles to strengthen enforcement. Furthermore, Miller (2024), confirmed that the combined focus on firearms, technology abuse, and tribal justice shows a growing recognition that domestic violence is not static, it evolves with social and technological changes, and requires legal systems to adapt continuously.

7. Discussion

7.1 How Criminal Law Implements VAWA Goals

The Violence Against Women Act (VAWA) was designed to provide national framework for responding to domestic and gender-based violence on a regular basis. In practice, the implementation of VAWA's goals depend on how state criminal laws, local prosecutors, and law enforcement agencies interpret and apply its principles.

Moreover, when courts and police understand and align their practices with VAWA's goals, survivors gain better protection, a better reliable access to restraining orders, and fairer treatment within the justice system (DOJ, 2024). For example, jurisdictions that adopt specialized domestic violence courts or multidisciplinary response teams have seen higher rates of victim safety and follow-up support (OVW, 2023).

Despite these efforts, there is gap between VAWA's federal framework, and the daily realities of criminal law enforcement. VAWA recognizes forms of abuse such as *coercive control*, *stalking*, and *psychological manipulation*, but many states define domestic violence in a manner that often requiring proof of physical harm, or imminent threat (ABA, 2025). As a result of this, behaviors that cause trauma may fall outside criminal prosecution, thereby leaving survivors without legal alternative.

8. Barriers for Immigrant Survivors

For immigrant survivors, understanding criminal law and immigration relief under VAWA is usually difficult. While VAWA allows certain non-citizens abused by United States citizens, or lawful permanent residents to self-petition for status without their

abuser's cooperation, these cases still depend on evidence that may come from police or court records (USCIS, 2024).

Consequently, survivors who fear deportation, language barriers, or mistrust law enforcement are reluctant to report abuse or participate in criminal proceedings (ABA, 2025). Furthermore, past criminal charges stemming from self-defense or coerced actions can negatively affect a survivor's VAWA petition, even when those charges arose directly from the abuse (National Immigrant Women's Advocacy Project, 2024). The outcome is a justice gap where immigrant survivors face both systemic, and procedural obstacles, with limited access to the protections VAWA promises.

9. Evidence and Procedures in Practice

Across states, law enforcement and court procedures differ. Some states enforce compulsory arrest policies, while others leave arrest decisions to officer discretion. However, inconsistent responses can also affect case results, and survivor safety (Campbell and Raja, 2023). Therefore, any delay in court proceedings, limited access to interpreters, and reliance on appeal bargains could reduce offender accountability.

Going further, prosecutors often face caseloads and poor specialized training in domestic violence, which affects their ability to handle the exact forms of abuse VAWA was meant to address (OVW, 2023). Studies also shown that restrained orders are not always enforced regularly, and some jurisdictions lack systems for tracking violations effectively (DOJ, 2024). These differences illustrate that despite the fact that the law provides a strong foundation, implementation remains uneven, while depending on local resources and commitment.

10. Effectiveness and Empirical Findings

For the past twenty years, research shows that VAWA has improved awareness, coordination, and support services for domestic violence survivors. Most importantly, reports from the United States Department of Justice and the Office on Violence Against Women recorded declines in intimate partner violence since VAWA's first passage, along with access to

shelters, legal aid, and survivor advocacy (DOJ, 2024; OVW, 2023).

However, results remain the same. Findings reveal that many survivors do not complete VAWA petitions due to significant burdens, or lack of legal assistance (USCIS, 2024). Similarly, even when arrests occur, prosecutions do not always follow immediately, and sentences are often minimal, especially for first-time or culprit (Campbell and Raja, 2023).

Furthermore, long-term evidence on whether survivors are safe, or return to a negative behaviour after having stopped it for a period of time. The need for better data collection, including longitudinal tracking of outcomes such as survivor safety, offender rehabilitation, and repeat offenses, remains one of the central challenges identified by both researchers and policymakers (Miller, 2024).

11. Conclusion and Policy Recommendations

As of 2025, the Violence Against Women Act (VAWA) continues to be the foundation of the United States' national strategy against domestic violence. It provides a framework that integrates law enforcement, victim services, and immigration protections. Despite this, the success of VAWA in practice depends on how state and local criminal justice systems enforce, interpret, and coordinate with its mandates (DOJ, 2024).

The present review shows that while VAWA has created awareness, coordination, and survivor protection, its interaction with criminal law remains irregular. Differences in how states define domestic violence, handle evidence, and prosecute offenders often mean that survivors' experiences and their access to justice differ across the country (Campbell and Raja, 2023). Also, immigrant survivors continue to face additional layers of difficulty due to complex intersections between criminal proceedings, immigration relief, and significant requirements (NIWAP, 2024).

Furthermore, VAWA's strengths depend in its comprehensive approach: it connects funding for shelters and legal assistance, identifies various understanding of abuse, and offers immigration pathways that lessen abusers' control over victims. However, its full potential is limited when local criminal systems lack resources, when officers are not properly

trained, or when prosecutors view domestic violence as a private dispute, rather than a serious public crime (ABA, 2025).

12. Policy Recommendations

12.1. Standard definitions and enforcement practices

Congress and the Department of Justice should work with state legislatures to align domestic violence definitions with VAWA's wider scope. This would ensure that persistent control, stalking, and non-physical abuse are recognized and prosecuted nationwide (Miller, 2024).

12.2. Strengthen law enforcement and judicial training.

Training programs should concentrate on trauma-informed policies and prosecution. Hence, officers and judges need clear guidance on survivor-centered approaches, and how to balance due process with safety concerns (OVW, 2023).

12.3. Access to legal aid and interpreters

Many survivors, especially immigrants, lose access to justice because they cannot afford to hire a lawyer or communicate effectively in court. Therefore, expanding legal assistance fund and certified interpretation services would help bridge these gaps (NIWAP, 2024).

12.4. Improve data collection and evaluation systems

There is a need for consistent, nationwide data on prosecutions, sentencing results, survivor safety, and the possibility of *returning to a negative behavior after having stopped it for a period of time*. Therefore, the DOJ and OVW should establish a national reporting system for tracking how VAWA-funded programs interact with criminal law enforcement (DOJ, 2024).

12.5. Integrate immigration relief with criminal law processes

Agencies should create clearer channels for coordination between local prosecutors, USCIS, and survivor advocates. This would prevent cases where survivors' criminal histories often related to the abuse they suffered

hinder their eligibility for immigration relief (ABA, 2025).

12.6. Strengthen firearm restrictions in domestic violence cases

Following the example outlined in Illinois' "Karina's Law" (2025), more states should implement strict firearm removal protocols for abusers under protection orders, in order to improve survivor safety (Illinois State Legislature, 2025).

In summary; VAWA and criminal law share the same goal that is: protecting survivors and ensuring accountability, but operate under different logics. On the other hand, criminal law focuses on evidence and punishment; while VAWA emphasizes prevention, empowerment, and holistic protection. Therefore, bridging the two requires harmonized definitions, consistent enforcement, and survivor-centered reforms. If these recommendations are implemented, the United States can move closer to realizing VAWA's original vision: a nation where survivors of domestic violence are not only protected under the law, but also empowered to rebuild their lives safely and with dignity.

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