

# Sexual Violence and Abuse

## *Constitutional Equality in the Age of Epstein*

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Sexual violence is a systemic civil rights issue — not a private problem. And the Epstein Congress is refusing to stop it.

## The Sexual Violence is at Crisis Levels

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### These are the sad facts of life:

- **One in 3 women** experience sexual violence in their lifetime. (World Health Organization)
- **One in 5 women** are raped or experience attempted rape. ([CDC, 2025](#)) Fewer than **1%** of rapists ever face felony convictions. ([RAINN](#))
- Survivors most affected: young women (ages 12–34), women of color, LGBTQ+ individuals, Indigenous women, immigrants, and people with disabilities. (Bureau of Justice Statistics; [National Sexual Violence Resource Center](#))

The Epstein files are uncovering the extent of rape and sex trafficking of girls and women, yet the government refuses to expose the men involved. Survivors report consistent barriers, with the brave Epstein survivors leading the discussion:

- Mishandled or untested rape kits ([End the Backlog](#), project of Joyful Heart Foundation)
- Uneven prosecution by authorities ([Journal of Interpersonal Violence, 2020](#))
- Lack of trauma-informed law enforcement ([Journal of Interpersonal Violence, 2020](#))
- Retaliation or discrimination at school or work (National Women’s Law Center)
- Limited access to civil remedies (United States v. Morrison (2020); [Office for Victims of Crime](#); [American Bar Association](#))

## ERA and the Violence Against Women Act

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### VAWA Accomplishments:

The **Violence Against Women Act (VAWA)** — first passed in **1994** with bipartisan support — improved the national response to domestic and sexual violence. The Office of Violence Against Women in the U.S. Justice Department provided significant implementation, until President Trump eliminated the office.

### VAWA Provides:

- Funding for rape crisis centers, shelters, legal aid, and counseling
- Training for police, prosecutors, and judges
- Campus-based sexual assault prevention and response programs
- Services for culturally specific and underserved communities
- Protections for immigrant and LGBTQ+ survivors
- Strengthened tribal jurisdiction to prosecute non-Native offenders (2013 & 2022)

**But VAWA has limits:**

- It is **not** a constitutional right — it is only a federal statute.
- It must be **reauthorized** by Congress every few years.
- Programs depend on **annual funding** and political will.
- Courts have struck down VAWA civil-rights remedies in the past (U.S. v. Morrison, 2000) finding Congress lacked authority to enact the civil remedy provision.
- It cannot guarantee equality or protection in all states equally.

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## The ERA Strengthens Legal Protections

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**VAWA helps survivors survive — but it cannot guarantee equality in implementation.** The **Equal Rights Amendment** ensures that equality on the basis of sex is a **constitutional guarantee**, not optional or subject to repeal.

**Stronger Constitutional Tools**

- Establishes sex equality under **strict scrutiny**, the strongest judicial protection.
- Recognizes women as full and equal citizens,
- Will help change the culture that underlies crimes against women.
- Establishes the authority of Congress to enact equal protections regardless of sex.
- Gives survivors a clear constitutional basis to challenge discriminatory policing, prosecution, or workplace/school responses to sexual violence.

**Accountability for Government Failures**

- Discriminatory or negligent investigations
- Unequal access to protection orders
- Systemic bias in schools, courts, and law enforcement
- Failure to provide equal safety in public institutions

Sexual violence often increases with pregnancy, medical care, and reproductive decision-making. The ERA strengthens legal arguments ensuring survivors have access to: 1) Emergency medical care, 2) Abortion access in cases of rape, and 3) Privacy and autonomy in healthcare.

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**Why the ERA Is Needed Now**

- Sexual violence rates remain high and are rising in many communities.
- Post-Dobbs, survivors in several states have **fewer** legal rights and resources.
- Disparities between states have widened — equality depends on geography.
- The U.S. is one of the **only democracies** without constitutional sex equality.
- Programs like VAWA can be weakened; constitutional guarantees cannot.

The ERA gives survivors permanent, enforceable rights — not promises. Full equality will move us toward eliminating sexual violence, rather than discovering and punishing perpetrators and treating survivors after the fact.

Ending sexual violence requires a constitutional foundation. VAWA opened the door — the ERA secures the future.

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