

PRIOR PROVISIONS

A prior section 213 of Pub. L. 101-647 was renumbered section 214A and is classified to section 20305 of this title.

AMENDMENTS

2019—Subsec. (a). Pub. L. 115-424, §2(c)(1)(A), struck out “with the Director and” after “coordination” in introductory provisions.

Subsec. (a)(2) to (4). Pub. L. 115-424, §2(c)(1)(B)–(F), redesignated pars. (3) and (4) as (2) and (3), respectively, in par. (3) as redesignated, inserted “, law enforcement officers, child protective service workers, forensic interviewers, prosecutors, and victim advocates,” after “health care professionals” and struck out “medical” before “personnel” and “support”, added par. (4), and struck out former par. (2) which read as follows: “provide support for nonoffending family members;”.

Subsec. (b)(1). Pub. L. 115-424, §2(c)(2)(A)(i), struck out “, in coordination with the Director,” after “Administrator” in introductory provisions.

Subsec. (b)(1)(B). Pub. L. 115-424, §2(c)(2)(A)(iii), substituted “multidisciplinary team investigation, trauma-informed interventions, and evidence-informed treatment,” for “the prevention, judicial handling, and treatment of child abuse and neglect; and”.

Subsec. (b)(1)(C). Pub. L. 115-424, §2(c)(2)(A)(ii), (iv), struck out subpar. (C) which read as follows: “fund the establishment of freestanding facilities in multidisciplinary programs within communities that have yet to establish such facilities.”.

Subsec. (b)(2)(A). Pub. L. 115-424, §2(c)(2)(B)(i)(I), substituted “communities, local children’s advocacy centers, multidisciplinary teams, and State chapters” for “communities” in introductory provisions.

Subsec. (b)(2)(A)(i). Pub. L. 115-424, §2(c)(2)(B)(i)(II), inserted “and expanding” after “developing”.

Subsec. (b)(2)(A)(ii). Pub. L. 115-424, §2(c)(2)(B)(i)(IV), added cl. (ii). Former cl. (ii) redesignated (iii).

Subsec. (b)(2)(A)(iii). Pub. L. 115-424, §2(c)(2)(B)(i)(III), (V), redesignated cl. (ii) as (iii) and substituted “child-friendly facilities for the investigation of, assessment of, and intervention in abuse” for “a freestanding facility where interviews of and services for abused children can be provided”. Former cl. (iii) redesignated (iv).

Subsec. (b)(2)(A)(iv). Pub. L. 115-424, §2(c)(2)(B)(i)(III), (VI), redesignated cl. (iii) as (iv) and substituted “duplicative” for “multiple”. Former cl. (iv) redesignated (v).

Subsec. (b)(2)(A)(v) to (xi). Pub. L. 115-424, §2(c)(2)(B)(i)(III), redesignated cls. (iv) to (x) as (v) to (xi), respectively.

Subsec. (b)(2)(B). Pub. L. 115-424, §2(c)(2)(B)(ii), inserted “and interested communities” after “advocacy centers”.

Subsec. (c)(2)(C). Pub. L. 115-424, §2(c)(3)(A), substituted “evidence-informed services for” for “remedial counseling to”.

Subsec. (c)(3)(A)(ii). Pub. L. 115-424, §2(c)(3)(B), substituted “children’s advocacy center” for “multidisciplinary child abuse program”.

Subsec. (c)(4)(B). Pub. L. 115-424, §2(c)(3)(C)(i), struck out “, in coordination with the Director,” after “Administrator” in introductory provisions.

Subsec. (c)(4)(B)(iii) to (v). Pub. L. 115-424, §2(c)(3)(C)(ii), (iii), redesignated cls. (iv) and (v) as (iii) and (iv), respectively, and struck out former cl. (iii) which read as follows: “carry out the objectives developed by the board under subsection (e)(2)(A);”.

Subsec. (d)(1). Pub. L. 115-424, §2(c)(4)(A), struck out “, in coordination with the Director,” after “Administrator”.

Subsec. (d)(2). Pub. L. 115-424, §2(c)(4)(B), struck out “and the Director” after “Administrator” in introductory provisions.

Subsec. (d)(3). Pub. L. 115-424, §2(c)(4)(C), struck out subpar. (B) designation and heading before “Upon discontinuation” and struck out subpar. (A). Prior to

amendment, text of subpar. (A) read as follows: “If a grant recipient under this section substantially fails in the implementation of the program activities, the Administrator shall not discontinue funding until reasonable notice and an opportunity for reconsideration is given.”

Subsecs. (e), (f). Pub. L. 115-424, §2(c)(5), struck out subsecs. (e) and (f) which related to the children’s advocacy advisory board and annual report on the progress of regional children’s advocacy program activities, respectively.

2003—Subsec. (c)(4). Pub. L. 108-21, §381(a)(1), struck out “and” at end of cl. (ii) of subpar. (B), substituted “board” for “Board” in cl. (iii) of subpar. (B), and redesignated subpars. (C) and (D) as cls. (iv) and (v), respectively, of subpar. (B).

Subsec. (e)(1)(B)(ii), (2)(A), (3). Pub. L. 108-21, §381(a)(2), substituted “board” for “Board”.

TERMINATION OF ADVISORY BOARDS

Advisory boards established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a board established by the President or an officer of the Federal Government, such board is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a board established by Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 20304. Local children’s advocacy centers

(a) In general

The Administrator, in coordination with the Director of the Office of Victims of Crime, shall make grants to—

(1) develop and enhance multidisciplinary child abuse investigations, intervention, and prosecution; and

(2) promote the effective delivery of the evidence-informed Children’s Advocacy Model and the multidisciplinary response to child abuse, including best practices in programmatic evaluation and financial oversight of Federal funding.

(b) Direct services for child victims of a severe form of trafficking in persons and victims of human trafficking and child pornography

The Administrator, in coordination with the Director of the Office of Victims of Crime, may make grants to develop and implement specialized programs to identify and provide direct services to victims of a severe form of trafficking (as defined in section 7102(9)(A) of title 22) who were under the age of 18 at the time of the offense and victims of human trafficking and child pornography.

(c) Grant criteria

(1) The Administrator shall establish the criteria to be used in evaluating applications for grants under subsections (a) and (b) consistent with sections 11183 and 11186 of this title.

(2) In general, the grant criteria established pursuant to paragraph (1) may require that a program include any of the following elements:

(A) A written agreement between local law enforcement, child protective service, health, and other related agencies to coordinate child abuse investigation, prosecution, treatment, and counseling services.

(B) An appropriate site for referring, interviewing, treating, and counseling child vic-

tims of sexual and serious physical abuse and neglect and nonoffending family members (referred to as a “children’s advocacy center”).

(C) Referral of all child abuse cases that meet designated referral criteria to the children’s advocacy center not later than 24 hours after notification of an incident of abuse.

(D) Joint initial forensic interviews of child victims by personnel from law enforcement, health, and child protective service agencies.

(E) A requirement that, to the extent practicable, all interviews and meetings with a child victim occur at the children’s advocacy center or an agency with which there is a linkage agreement regarding the delivery of multidisciplinary child abuse investigation, prosecution, and intervention services.

(F) Coordination of each step of the investigation process to eliminate duplicative forensic interviews with a child victim.

(G) Designation of a director for the children’s advocacy center.

(H) Assignment of a volunteer or staff advocate to each child in order to assist the child and, when appropriate, the child’s family, throughout each step of intervention and judicial proceedings.

(I) Such other criteria as the Administrator shall establish by regulation.

(d) Distribution of grants

In awarding grants under this section, the Administrator shall ensure that grants are distributed to all States that are eligible for such grants, including large and small States, and to rural, suburban, and urban jurisdictions.

(e) Consultation with regional children’s advocacy centers

A grant recipient under this section shall consult from time to time with regional children’s advocacy centers in its census region that are grant recipients under section 20303 of this title.

(f) Grants to State chapters for assistance to local children’s advocacy centers

In awarding grants under this section, the Administrator shall ensure that a portion of the grants is distributed to State chapters to enable State chapters to provide technical assistance, training, coordination, and oversight to other recipients of grants under this section in providing evidence-informed initiatives, including mental health counseling, forensic interviewing, multidisciplinary team coordination, and victim advocacy.

(Pub. L. 101-647, title II, §214, formerly §212, Nov. 29, 1990, 104 Stat. 4793; renumbered §214 and amended Pub. L. 102-586, §6(b)(1), (c), Nov. 4, 1992, 106 Stat. 5029, 5034; Pub. L. 107-273, div. C, title II, §12221(b)(1)(A), Nov. 2, 2002, 116 Stat. 1894; Pub. L. 114-22, title I, §104(2), May 29, 2015, 129 Stat. 236; Pub. L. 115-392, §6, Dec. 21, 2018, 132 Stat. 5253; Pub. L. 115-424, §2(d), (h)(2), Jan. 7, 2019, 132 Stat. 5467, 5470.)

CODIFICATION

Section was formerly classified to section 13002 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

PRIOR PROVISIONS

A prior section 214 of Pub. L. 101-647 was renumbered section 214B and is classified to section 20306 of this title.

AMENDMENTS

2019—Subsec. (a). Pub. L. 115-424, §2(d)(1), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “The Administrator, in coordination with the Director and with the Director of the Office of Victims of Crime, shall make grants to develop and implement multidisciplinary child abuse investigation and prosecution programs.”

Subsec. (b). Pub. L. 115-424, §2(d)(2), in heading, inserted “human trafficking and” before “child pornography”, and in text, struck out “with the Director and” after “coordination” and inserted “human trafficking and” before “child pornography”.

Subsec. (c)(1). Pub. L. 115-424, §2(h)(2), made technical amendment to reference in original act which appears in text as reference to sections 11183 and 11186 of this title.

Pub. L. 115-424, §2(d)(3)(A), substituted “Administrator” for “Director” and “subsections (a) and (b)” for “this section”.

Subsec. (c)(2)(A). Pub. L. 115-424, §2(d)(3)(B)(i), substituted “child protective service” for “social service”.

Subsec. (c)(2)(B). Pub. L. 115-424, §2(d)(3)(B)(ii), substituted “a ‘children’s advocacy center’” for “the ‘counseling center’”.

Subsec. (c)(2)(C). Pub. L. 115-424, §2(d)(3)(B)(iii), substituted “child abuse cases that meet designated referral criteria to the children’s advocacy center” for “sexual and serious physical abuse and neglect cases to the counseling center”.

Subsec. (c)(2)(D). Pub. L. 115-424, §2(d)(3)(B)(iv), substituted “forensic” for “investigative” and “child protective service” for “social service”.

Subsec. (c)(2)(E). Pub. L. 115-424, §2(d)(3)(B)(v)-(vii), redesignated subpar. (F) as (E), substituted “children’s advocacy center or an agency with which there is a linkage agreement regarding the delivery of multidisciplinary child abuse investigation, prosecution, and intervention services” for “counseling center”, and struck out former subpar. (E) which read as follows: “A requirement that, to the extent practicable, the same agency representative who conducts an initial interview conduct all subsequent interviews.”

Subsec. (c)(2)(F). Pub. L. 115-424, §2(d)(3)(B)(vi), (viii), redesignated subpar. (G) as (F) and substituted “eliminate duplicative forensic interviews with a child victim” for “minimize the number of interviews that a child victim must attend”. Former subpar. (F) redesignated (E).

Subsec. (c)(2)(G). Pub. L. 115-424, §2(d)(3)(B)(vi), (ix), redesignated subpar. (H) as (G) and substituted “children’s advocacy center” for “multidisciplinary program”. Former subpar. (G) redesignated (F).

Subsec. (c)(2)(H). Pub. L. 115-424, §2(d)(3)(B)(vi), (x), redesignated subpar. (I) as (H) and inserted “intervention and” before “judicial proceedings”. Former subpar. (H) redesignated (G).

Subsec. (c)(2)(I), (J). Pub. L. 115-424, §2(d)(3)(B)(vi), (xi), redesignated subpar. (J) as (I) and substituted “Administrator” for “Director”. Former subpar. (I) redesignated (H).

Subsec. (d). Pub. L. 115-424, §2(d)(4), substituted “the Administrator” for “the Director” and “all States that are eligible for such grants, including large and small States,” for “both large and small States”.

Subsec. (f). Pub. L. 115-424, §2(d)(5), added subsec. (f).

2018—Subsec. (b). Pub. L. 115-392 inserted “child victims of a severe form of trafficking in persons and” before “victims of child pornography” in heading and “victims of a severe form of trafficking (as defined in section 7102(9)(A) of title 22) who were under the age of 18 at the time of the offense and” before “victims of child pornography” in text.

2015—Subsecs. (b) to (e). Pub. L. 114-22 added subsec. (b) and redesignated former subsecs. (b) to (d) as (c) to (e), respectively.

2002—Subsec. (b)(1). Pub. L. 107-273 substituted “sections 5673 and 5676 of this title” for “sections 5665a, 5673, and 5676 of this title”.

1992—Pub. L. 102-586, §6(c)(1), substituted “Local children’s advocacy centers” for “Authority of Director to make grants” in section catchline.

Subsec. (a). Pub. L. 102-586, §6(c)(2), substituted “The Administrator, in coordination with the Director and with the Director of the Office of Victims of Crime,” for “The Director of the Office of Victims of Crime (hereinafter in this subchapter referred to as the ‘Director’), in consultation with officials of the Department of Health and Human Services.”

Subsec. (b)(2)(B). Pub. L. 102-586, §6(c)(3), inserted “and nonoffending family members” after “neglect”.

Subsec. (d). Pub. L. 102-586, §6(c)(4), added subsec. (d).

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-273 effective on the first day of the first fiscal year that begins after Nov. 2, 2002, and applicable only with respect to fiscal years beginning on or after the first day of the first fiscal year that begins after Nov. 2, 2002, see section 12223 of Pub. L. 107-273, as amended, set out as a note under section 11101 of this title.

§ 20305. Grants for specialized technical assistance and training programs

(a) In general

The Administrator shall make grants to national organizations to provide technical assistance and training to—

(1) attorneys and other allied professionals instrumental to the criminal prosecution of child abuse cases in State or Federal courts, for the purpose of improving the quality of criminal prosecution of such cases; and

(2) child abuse professionals instrumental to the protection of children, intervention in child abuse cases, and treatment of victims of child abuse, for the purpose of—

(A) improving the quality of such protection, intervention, and treatment; and

(B) promoting the effective delivery of the evidence-informed Children’s Advocacy Model and the multidisciplinary response to child abuse, including best practices in programmatic evaluation and financial oversight of Federal funding.

(b) Grantee organizations

(1) Prosecutors

An organization to which a grant is made for specific training and technical assistance for prosecutors under subsection (a)(1) shall be one that has—

(A) a broad representation of attorneys who prosecute criminal cases in State courts; and

(B) demonstrated experience in providing training and technical assistance for prosecutors.

(2) Child abuse professionals

An organization to which a grant is made for specific training and technical assistance for child abuse professionals under subsection (a)(2) shall be one that has—

(A) a diverse portfolio of training and technical resources for the diverse professionals responding to child abuse, including a digital library to promote evidence-informed practice; and

(B) demonstrated experience in providing training and technical assistance for child abuse professionals, especially law enforcement officers, child protective service workers, prosecutors, forensic interviewers, medical professionals, victim advocates, and mental health professionals.

(c) Grant criteria

(1) The Administrator shall establish the criteria to be used for evaluating applications for grants under this section, consistent with sections 11183 and 11186 of this title.

(2) The grant criteria established pursuant to paragraph (1) shall require, in the case of a grant made under subsection (a)(1), that a program provide training and technical assistance that includes information regarding improved child interview techniques, thorough investigative methods, interagency coordination and effective presentation of evidence in court, including the use of alternative courtroom procedures described in this title.¹

(Pub. L. 101-647, title II, §214A, formerly §213, Nov. 29, 1990, 104 Stat. 4793; renumbered §214A and amended Pub. L. 102-586, §6(b)(1), (d), Nov. 4, 1992, 106 Stat. 5029, 5034; Pub. L. 107-273, div. C, title II, §12221(b)(1)(B), Nov. 2, 2002, 116 Stat. 1894; Pub. L. 115-424, §2(e), (h)(3), Jan. 7, 2019, 132 Stat. 5469, 5470.)

REFERENCES IN TEXT

This title, referred to in subsec. (c)(2), means title II of Pub. L. 101-647, known as the Victims of Child Abuse Act of 1990, which is classified principally to this chapter. For complete classification of title II to the Code, see Short Title of 1990 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 13003 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

AMENDMENTS

2019—Subsec. (a). Pub. L. 115-424, §2(e)(1), substituted “to—” and pars. (1) and (2) for “to attorneys and others instrumental to the criminal prosecution of child abuse cases in State or Federal courts, for the purpose of improving the quality of criminal prosecution of such cases.”

Subsec. (b). Pub. L. 115-424, §2(e)(2), added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “An organization to which a grant is made pursuant to subsection (a) shall be one that has, or is affiliated with one that has, broad membership among attorneys who prosecute criminal cases in State courts and has demonstrated experience in providing training and technical assistance for prosecutors.”

Subsec. (c)(1). Pub. L. 115-424, §2(h)(3), made technical amendment to reference in original act which appears in text as reference to sections 11183 and 11186 of this title.

Subsec. (c)(2). Pub. L. 115-424, §2(e)(3), inserted “, in the case of a grant made under subsection (a)(1),” after “shall require”.

2002—Subsec. (c)(1). Pub. L. 107-273 substituted “sections 5673 and 5676 of this title” for “sections 5665a, 5673, and 5676 of this title”.

¹ See References in Text note below.