

(Pub. L. 103-322, title IV, § 40901, as added Pub. L. 106-386, div. B, title IV, § 1407, Oct. 28, 2000, 114 Stat. 1517.)

Editorial Notes

REFERENCES IN TEXT

Section 10447 of this title, referred to in subsec. (d), was subsequently repealed and a new section 10447 enacted which does not define “domestic violence”. However, such term is defined in section 12291 of this title.

CODIFICATION

Section was formerly classified to section 14042 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PART I—PRIVACY PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL VIOLENCE, AND STALKING

§ 12441. Grants to protect the privacy and confidentiality of victims of domestic violence, dating violence, sexual assault, and stalking

The Attorney General, through the Director of the Office on Violence Against Women, may award grants under this part to States, Indian tribes, territories, or local agencies or nonprofit, nongovernmental organizations to ensure that personally identifying information of adult, youth, and child victims of domestic violence, sexual violence, stalking, and dating violence shall not be released or disclosed to the detriment of such victimized persons.

(Pub. L. 103-322, title IV, § 41101, as added Pub. L. 109-162, title I, § 107, Jan. 5, 2006, 119 Stat. 2983.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14043b of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 12442. Purpose areas

Grants made under this part may be used—

(1) to develop or improve protocols, procedures, and policies for the purpose of preventing the release of personally identifying information of victims (such as developing alternative identifiers);

(2) to defray the costs of modifying or improving existing databases, registries, and victim notification systems to ensure that personally identifying information of victims is protected from release, unauthorized information sharing and disclosure;

(3) to develop confidential opt out systems that will enable victims of violence to make a single request to keep personally identifying information out of multiple databases, victim notification systems, and registries; or

(4) to develop safe uses of technology (such as notice requirements regarding electronic surveillance by government entities), to protect against abuses of technology (such as electronic or GPS stalking), or providing training for law enforcement on high tech electronic crimes of domestic violence, dating violence, sexual assault, and stalking.

(Pub. L. 103-322, title IV, § 41102, as added Pub. L. 109-162, title I, § 107, Jan. 5, 2006, 119 Stat. 2983.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14043b-1 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 12443. Eligible entities

Entities eligible for grants under this part include—

(1) jurisdictions or agencies within jurisdictions having authority or responsibility for developing or maintaining public databases, registries or victim notification systems;

(2) nonprofit nongovernmental victim advocacy organizations having expertise regarding confidentiality, privacy, and information technology and how these issues are likely to impact the safety of victims;

(3) States or State agencies;

(4) local governments or agencies;

(5) Indian tribal governments or tribal organizations;

(6) territorial governments, agencies, or organizations; or

(7) nonprofit nongovernmental victim advocacy organizations, including statewide domestic violence and sexual assault coalitions.

(Pub. L. 103-322, title IV, § 41103, as added Pub. L. 109-162, title I, § 107, Jan. 5, 2006, 119 Stat. 2983.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14043b-2 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 12444. Grant conditions

Applicants described in paragraph (1) and paragraphs (3) through (6) shall demonstrate that they have entered into a significant partnership with a State, tribal, territorial, or local victim service or advocacy organization or condition in order to develop safe, confidential, and effective protocols, procedures, policies, and systems for protecting personally identifying information of victims.

(Pub. L. 103-322, title IV, § 41104, as added Pub. L. 109-162, title I, § 107, Jan. 5, 2006, 119 Stat. 2984.)

Editorial Notes

REFERENCES IN TEXT

Paragraph (1) and paragraphs (3) through (6), referred to in text, probably mean paragraphs (1) and (3) through (6) of section 12443 of this title.

CODIFICATION

Section was formerly classified to section 14043b-3 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PART J—SERVICES, EDUCATION, PROTECTION AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

§ 12451. Creating hope through outreach, options, services, and education for children and youth (“CHOOSE Children & Youth”)

(a) Grants authorized

The Attorney General, working in collaboration with the Secretary of Health and Human

Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, stalking, or sex trafficking and prevent future violence.

(b) Program purposes

Funds provided under this section may be used for the following program purpose areas:

(1) Services to advocate for and respond to youth

To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, stalking, or sex trafficking against youth; or

(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, and to properly refer such children, youth, and their families to appropriate services.

(2) Supporting youth through education and protection

To enable middle schools, high schools, and institutions of higher education to—

(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

(B) develop and implement prevention and intervention policies in middle and high

schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, stalking, or sex trafficking, and procedures for handling the requirements of court protective orders issued to or against students;

(C) provide support services for student victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking, such as a resource person who is either on-site or on-call;

(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, stalking, and sex trafficking and the impact of such violence on youth; or

(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, stalking, or sex trafficking.

(c) Eligible applicants

(1) In general

To be eligible to receive a grant under this section, an entity shall be—

(A) a victim service provider, tribal non-profit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10 or section 921 of title 20, a group of schools, a school district, or an institution of higher education.

(2) Partnerships

(A) Education

To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10 or section 921 of title 20, a group of schools, a school district, or an institution of higher education.

(B) Other partnerships

All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

(i) a State, tribe, unit of local government, or territory;

(ii) a population specific or community-based organization;

(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

(d) Grantee requirements

Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

(1) require and include appropriate referral systems for child and youth victims;

(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, stalking, and sex trafficking.

(e) Definitions and grant conditions

In this section, the definitions and grant conditions provided for in section 12291 of this title shall apply.

(f) Authorization of appropriations

There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2019 through 2022.

(g) Allotment

(1) In general

Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

(2) Indian tribes

Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 10452 of this title. The requirements of this section shall not apply to funds allocated under this paragraph.

(h) Priority

The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.

(Pub. L. 103-322, title IV, §41201, as added Pub. L. 113-4, title III, §302, Mar. 7, 2013, 127 Stat. 84; amended Pub. L. 115-393, title I, §102, Dec. 21, 2018, 132 Stat. 5266.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14043c of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 41201 of title IV of Pub. L. 103-322, as added Pub. L. 109-162, title III, §303, Jan. 5, 2006, 119

Stat. 3004, related to services to advocate for and respond to youth, prior to repeal by Pub. L. 113-4, title III, §302, Mar. 7, 2013, 127 Stat. 84.

AMENDMENTS

2018—Subsec. (f). Pub. L. 115-393 substituted “2019 through 2022” for “2014 through 2018”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section not effective until the beginning of the fiscal year following Mar. 7, 2013, see section 4 of Pub. L. 113-4, set out as an Effective Date of 2013 Amendment note under section 2261 of Title 18, Crimes and Criminal Procedure.

PART K—STRENGTHENING AMERICA’S FAMILIES BY PREVENTING VIOLENCE AGAINST WOMEN AND CHILDREN

§ 12461. Findings

Congress finds that—

(1) the former United States Advisory Board on Child Abuse suggests that domestic violence may be the single major precursor to child abuse and neglect fatalities in this country;

(2) studies suggest that as many as 10,000,000 children witness domestic violence every year;

(3) studies suggest that among children and teenagers, recent exposure to violence in the home was a significant factor in predicting a child’s violent behavior;

(4) a study by the Nurse-Family Partnership found that children whose parents did not participate in home visitation programs that provided coaching in parenting skills, advice and support, were almost 5 times more likely to be abused in their first 2 years of life;

(5) a child’s exposure to domestic violence seems to pose the greatest independent risk for being the victim of any act of partner violence as an adult;

(6) children exposed to domestic violence are more likely to believe that using violence is an effective means of getting one’s needs met and managing conflict in close relationships;

(7) children exposed to abusive parenting, harsh or erratic discipline, or domestic violence are at increased risk for juvenile crime; and

(8) in a national survey of more than 6,000 American families, 50 percent of men who frequently assaulted their wives also frequently abused their children.

(Pub. L. 103-322, title IV, §41301, as added Pub. L. 109-162, title IV, §401, Jan. 5, 2006, 119 Stat. 3017.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14043d of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 12462. Purpose

The purpose of this part is to—

(1) prevent crimes involving violence against women, children, and youth;

(2) increase the resources and services available to prevent violence against women, children, and youth;