

107TH CONGRESS
1ST SESSION

S. 1483

To amend Family Violence Prevention and Services Act to reduce the impact of domestic violence, sexual assault, and stalking on the lives of youth and children and to provide appropriate services for children and youth experiencing or exposed to domestic violence, sexual assault, or stalking.

IN THE SENATE OF THE UNITED STATES

OCTOBER 2, 2001

Mr. WELLSTONE (for himself and Mrs. Murray) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend Family Violence Prevention and Services Act to reduce the impact of domestic violence, sexual assault, and stalking on the lives of youth and children and to provide appropriate services for children and youth experiencing or exposed to domestic violence, sexual assault, or stalking.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Children Who Witness
5 Domestic Violence Act”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Domestic violence and sexual assault occur
4 frequently in the United States. 1,500,000 women
5 are raped or physically assaulted by an intimate
6 partner annually in the United States, and 1 in 4
7 women in the United States will experience domestic
8 violence or sexual assault in her lifetime.

9 (2) At least 3,300,000 children in the United
10 States are exposed to parental violence every year.

11 (3) Child abuse and domestic violence often
12 occur within the same families. Because of this over-
13 lap, cross-training for child welfare workers, courts,
14 law enforcement, prosecutors, and domestic violence
15 and sexual assault victim service providers is essen-
16 tial.

17 (4) Forty to 60 percent of men who abuse
18 women also abuse children.

19 (5) In 43 percent of households where intimate
20 violence occurs, at least 1 child under the age of 12
21 lives in the home. Domestic violence has been shown
22 to occur disproportionately in homes with children
23 under age 5.

24 (6) In most States, more than 50 percent of the
25 residents in battered women's shelters are children.

1 (7) As many as 500,000 children may be en-
2 countered by police during domestic violence arrests
3 each year.

4 (8) Children who live in homes where domestic
5 violence occurs are at a higher risk of anxiety and
6 depression, and exhibit more aggressive, antisocial,
7 inhibited, and fearful behaviors than other children.

8 (9) Children's experiences vary widely as the re-
9 sult of their exposure to domestic violence depending
10 on their family situations, community environment,
11 and the child's own personality. Children need com-
12 prehensive services that serve the continuum of their
13 individual needs.

14 (10) Adolescents who have grown up in violent
15 homes are at risk for recreating the abusive relation-
16 ships they have observed. Forty percent of violent
17 juvenile offenders come from homes where there is
18 domestic violence, and 50 percent of children who
19 come before delinquency court have been exposed to
20 violence in the home.

21 (11) Men who as children witnessed their par-
22 ent's domestic violence are twice as likely to abuse
23 their own wives as are sons of nonviolent parents.
24 One-third of women who are physically abused by a

1 husband or boyfriend grew up in a household where
 2 their mother was also abused.

3 (12) The most successful strategies for dealing
 4 with the overlap between domestic violence and child
 5 abuse are those that provide for the safety of both
 6 the children and the nonabusing parent.

7 (13) Recent studies show that battered women
 8 parent effectively and attend to their children's
 9 needs.

10 (14) In a major metropolitan area, 80 percent
 11 of surveyed battered women with children reported
 12 that they and their children were safe and together
 13 as a family after receiving domestic violence advo-
 14 cacy services. In contrast, the rate of substantiated
 15 cases of sexual abuse in foster care is more than 4
 16 times higher than the rate in the general population.

17 **SEC. 3. PURPOSE.**

18 The purpose of this Act is to—

19 (1) reduce the impact of domestic violence, sex-
 20 ual assault, and stalking in the lives of youth and
 21 children;

22 (2) provide appropriate services for children
 23 and youth experiencing or exposed to domestic vio-
 24 lence, sexual assault, and stalking;

1 (3) develop and implement education programs
2 to prevent children and youth from becoming victims
3 or perpetrators of domestic violence, sexual assault,
4 or stalking;

5 (4) encourage cross training and collaboration
6 among child welfare agencies, domestic violence and
7 sexual assault service providers, courts, law enforce-
8 ment entities, health care professionals, crisis nurs-
9 eries, and other social services to recognize and re-
10 sponsibly address domestic violence and sexual as-
11 sault and the effects of domestic violence on children
12 and youth;

13 (5) promote the safety of children and youth by
14 increasing the safety, autonomy, capacity, and finan-
15 cial security of the nonabusing parents who are also
16 victims of domestic violence and sexual assault so
17 that they may remain safely together, thereby pre-
18 venting the unnecessary and harmful removal of the
19 child or youth from the nonabusing parent; and

20 (6) ensure the effective handling of cases where
21 domestic violence or sexual assault and child abuse
22 and neglect intersect in such a way that—

23 (A) holds the adult perpetrator of violence
24 accountable;

1 (B) assures the safety and well-being of
 2 both the child and the child's nonabusing par-
 3 ent; and

4 (C) prevents the unnecessary and harmful
 5 removal of the child from the nonabusing par-
 6 ent thereby increasing the child's chance to
 7 heal.

8 **SEC. 4. DEFINITIONS.**

9 Section 309 of the Family Violence Prevention and
 10 Services Act (42 U.S.C. 10408) is amended by adding at
 11 the end the following:

12 “(1) The term ‘dating violence’ means violence
 13 committed by a person—

14 “(A) who is or has been in a social rela-
 15 tionship of a romantic or intimate nature with
 16 the victim; and

17 “(B) where the existence of such a rela-
 18 tionship shall be determined based on a consid-
 19 eration of—

20 “(i) the length of the relationship;

21 “(ii) the type of relationship; and

22 “(iii) the frequency of interaction be-
 23 tween the persons involved in the relation-
 24 ship.

1 “(2) The term ‘domestic violence’ includes acts
2 or threats of violence, not including acts of self-de-
3 fense, committed by a current or former spouse of
4 the victim, by a person with whom the victim shares
5 a child in common, by a person who is cohabiting
6 with or has cohabited with the victim, by a person
7 who is or has been in a continuing social relationship
8 of a romantic or intimate nature with the victim, by
9 a person similarly situated to a spouse of the victim
10 under the domestic or family violence laws of the ju-
11 risdiction, or by any other person against a victim
12 who is protected from that person’s acts under the
13 domestic or family violence laws of the jurisdiction.

14 “(3) The term ‘sexual assault’ means any con-
15 duct proscribed by chapter 109A of title 18, United
16 States Code, whether or not the conduct occurs in
17 the special maritime and territorial jurisdiction of
18 the United States or in a Federal prison and in-
19 cludes both assaults committed by offenders who are
20 strangers to the victim and assaults committed by
21 offenders who are known to the victim or related by
22 blood or marriage to the victim.

23 “(4) The term ‘stalking’ means engaging in a
24 course of conduct directed at a specific person that
25 would cause a reasonable person to fear death, sex-

1 ual assault, or bodily injury to such person or a
 2 member of such person’s immediate family, when the
 3 person engaging in such conduct has knowledge or
 4 should have knowledge that the specific person will
 5 be placed in reasonable fear of death, sexual assault,
 6 or bodily injury to such person or a member of such
 7 person’s immediate family and when the conduct in-
 8 duces fear in the specific person of death, sexual as-
 9 sault, or bodily injury to such person or a member
 10 of such person’s immediate family.”.

11 **SEC. 5. SERVICES FOR CHILDREN EXPOSED TO DOMESTIC**
 12 **VIOLENCE.**

13 The Family Violence Prevention and Services Act (42
 14 U.S.C. 10401 et seq.) is amended by adding at the end
 15 the following:

16 **“SEC. 320. SERVICES FOR CHILDREN EXPOSED TO DOMES-**
 17 **TIC VIOLENCE.**

18 “(a) GRANTS AUTHORIZED.—The Secretary, acting
 19 through the Director of Community Services of the Ad-
 20 ministration for Children and Families, may award com-
 21 petitive grants to eligible entities to enable such entities
 22 to conduct programs to serve children who have been ex-
 23 posed to domestic violence.

24 “(b) ELIGIBLE GRANTEEES.—To be eligible to receive
 25 a grant under this section, an entity shall—

1 “(1) meet the requirements of section
2 303(a)(2)(A) or section 303(b)(1); and

3 “(2) have in place, and describe in its applica-
4 tion, policies and procedures that—

5 “(A) enhance or ensure the safety and se-
6 curity of a battered parent or caregiver, and as
7 a result, the child of the parent; and

8 “(B) ensure that all services are provided
9 in a developmentally appropriate and culturally
10 competent manner.

11 “(c) USE OF FUNDS.—

12 “(1) IN GENERAL.—An entity that receives a
13 grant under this section shall use amounts provided
14 under the grant to design or replicate, and imple-
15 ment, programs and services using domestic violence
16 intervention models to respond to the needs of chil-
17 dren who are exposed to domestic violence and
18 whose parent or caregiver is a victim of domestic vi-
19 olence and who is receiving services from such enti-
20 ty. Such a program—

21 “(A) shall be a new program or service, or
22 new component of an existing program or serv-
23 ice not currently offered by the entity;

1 “(B) shall provide direct counseling and
2 advocacy for children who have been exposed to
3 domestic violence;

4 “(C) may include early childhood and men-
5 tal health services;

6 “(D) may assist in legal advocacy efforts
7 on behalf of children with respect to issues re-
8 lated directly to services the children are receiv-
9 ing from the program;

10 “(E) may include respite care, supervised
11 visitation, and specialized services for children;
12 and

13 “(F) may use not more than 25 percent of
14 the grant funds to contract with others to pro-
15 vide additional services and resources for chil-
16 dren including child care, transportation, edu-
17 cational support, respite care, supervised visita-
18 tion, and access to specialized services for chil-
19 dren.

20 “(2) CONFIDENTIALITY.—Programs developed
21 and implemented under paragraph (1) shall ensure
22 the safety and confidentiality of child and adult vic-
23 tims in a manner that is consistent with applicable
24 Federal and State laws.

1 “(d) APPLICATION.—To be eligible to receive a grant
2 under subsection (a), an entity shall prepare and submit
3 to the Secretary an application at such time, in such man-
4 ner, and containing such information as the Secretary may
5 require.

6 “(e) TERM AND AMOUNT.—

7 “(1) TERM.—The Secretary shall make the
8 grants under this section for a period of not more
9 than 3 fiscal years.

10 “(2) AMOUNT.—Each grant awarded under this
11 section shall be in an amount of not less than
12 \$50,000 per year and not more than \$300,000 per
13 year.

14 “(f) EVALUATION, MONITORING, ADMINISTRATION,
15 AND TECHNICAL ASSISTANCE.—Of the amount appro-
16 priated under subsection (j) for each fiscal year, not more
17 than 4 percent shall be used by the Secretary for evalua-
18 tion, monitoring, administrative, and technical assistance
19 costs under this section.

20 “(g) EQUITABLE DISTRIBUTION.—In awarding
21 grants under subsection (a), the Secretary shall ensure an
22 equitable geographic distribution to State, local, and tribal
23 programs working in throughout the United States in
24 rural, urban, and suburban areas.

1 “(h) UNDERSERVED POPULATIONS.—In awarding
2 grants under subsection (a), the Secretary shall—

3 “(1) consider the needs of underserved popu-
4 lations as defined by section 2003(7) of part T of
5 title I of the Omnibus Crime Control and Safe
6 Streets Act of 1968 (42 U.S.C. 3796gg-2); and

7 “(2) from the amounts made available under
8 subsection (j), award not less than 10 percent of
9 such amounts for the funding of tribal programs as
10 defined in section 303(b)(1).

11 “(i) ANNUAL REPORTS.—An entity receiving a grant
12 under this section shall annually submit to the Secretary
13 a report that describes, at a minimum—

14 “(1) how the funds under the grant were used;

15 “(2) the extent to which underserved popu-
16 lations were reached;

17 “(3) the adequacy of staff training and agency
18 services to ensure that children’s needs are ad-
19 dressed properly;

20 “(4) the adequacy of the physical arrangements
21 for meeting children’s needs; and

22 “(5) the existence of continuing barriers the en-
23 tity faces to more fully addressing children’s needs.

24 “(j) AUTHORIZATION OF APPROPRIATIONS.—

1 “(1) IN GENERAL.—There is authorized to be
2 appropriated to carry out this section, \$15,000,000
3 for each of fiscal years 2002 through 2006.

4 “(2) AVAILABILITY.—Funds appropriated
5 under paragraph (1) shall remain available until ex-
6 pended.”.

7 **SEC. 6. GRANTS TO COMBAT THE IMPACT OF EXPERI-**
8 **ENCING OR WITNESSING DOMESTIC VIO-**
9 **LENCE ON ELEMENTARY AND SECONDARY**
10 **SCHOOL CHILDREN.**

11 Subpart 2 of part A of title IV of the Elementary
12 and Secondary Act of 1965 (20 U.S.C. 7131 et seq.) is
13 amended by adding at the end the following:

14 **“SEC. 4125. GRANTS TO COMBAT THE IMPACT OF EXPERI-**
15 **ENCING OR WITNESSING DOMESTIC VIO-**
16 **LENCE ON ELEMENTARY AND SECONDARY**
17 **SCHOOL CHILDREN.**

18 “(a) GRANTS AUTHORIZED.—

19 “(1) AUTHORITY.—The Secretary is authorized
20 to award grants and contracts to elementary schools
21 and secondary schools that work with experts to en-
22 able the elementary schools and secondary schools—

23 “(A) to provide training to school adminis-
24 trators, faculty, and staff, with respect to issues
25 concerning children experiencing domestic vio-

1 lence in dating relationships and witnessing do-
2 mestic violence, and the impact of the violence
3 described in this subparagraph on children;

4 “(B) to provide educational programming
5 to students regarding domestic violence and the
6 impact of experiencing or witnessing domestic
7 violence on children;

8 “(C) to provide support services for stu-
9 dents and school personnel for the purpose of
10 developing and strengthening effective preven-
11 tion and intervention strategies with respect to
12 issues concerning children experiencing domes-
13 tic violence in dating relationships and wit-
14 nessing domestic violence, and the impact of the
15 violence described in this subparagraph on chil-
16 dren; and

17 “(D) to develop and implement school sys-
18 tem policies regarding appropriate, safe re-
19 sponses identification and referral procedures
20 for students who are experiencing or witnessing
21 domestic violence.

22 “(2) AWARD BASIS.—The Secretary shall award
23 grants and contracts under this section—

24 “(A) on a competitive basis; and

1 “(B) in a manner that ensures that such
2 grants and contracts are equitably distributed
3 throughout a State among elementary schools
4 and secondary schools located in rural, urban,
5 and suburban areas in the State.

6 “(3) POLICY DISSEMINATION.—The Secretary
7 shall disseminate to elementary schools and sec-
8 ondary schools any Department of Education policy
9 guidance regarding the prevention of domestic vio-
10 lence and the impact of experiencing or witnessing
11 domestic violence on children.

12 “(b) USES OF FUNDS.—Funds provided under this
13 section may be used for the following purposes:

14 “(1) To provide training for elementary school
15 and secondary school administrators, faculty, and
16 staff that addresses issues concerning elementary
17 school and secondary school students who experience
18 domestic violence in dating relationships or witness
19 domestic violence, and the impact of such violence on
20 the students.

21 “(2) To provide education programs for elemen-
22 tary school and secondary school students that are
23 developmentally appropriate for the students’ grade
24 levels and are designed to meet any unique cultural

1 and language needs of the particular student popu-
2 lations.

3 “(3) To develop and implement elementary
4 school and secondary school system policies regard-
5 ing appropriate, safe responses identification and re-
6 ferral procedures for students who are experiencing
7 or witnessing domestic violence.

8 “(4) To provide the necessary human resources
9 to respond to the needs of elementary school and
10 secondary school students and personnel who are
11 faced with the issue of domestic violence, such as a
12 resource person who is either on-site or on-call, and
13 who is an expert.

14 “(5) To provide media center materials and
15 educational materials to elementary schools and sec-
16 ondary schools that address issues concerning chil-
17 dren who experience domestic violence in dating rela-
18 tionships and witness domestic violence, and the im-
19 pact of the violence described in this paragraph on
20 the children.

21 “(6) To conduct evaluations to assess the im-
22 pact of programs and policies assisted under this
23 section in order to enhance the development of the
24 programs.

1 “(c) CONFIDENTIALITY.—Policies, programs, train-
2 ing materials, and evaluations developed and implemented
3 under subsection (b) shall address issues of safety and
4 confidentiality for the victim and the victim’s family in a
5 manner consistent with applicable Federal and State laws.

6 “(d) APPLICATION.—

7 “(1) IN GENERAL.—To be eligible to be award-
8 ed a grant or contract under this section for any fis-
9 cal year, an elementary school or secondary school,
10 in consultation with an expert, shall submit an appli-
11 cation to the Secretary at such time and in such
12 manner as the Secretary shall prescribe.

13 “(2) CONTENTS.—Each application submitted
14 under paragraph (1) shall—

15 “(A) describe the need for funds provided
16 under the grant or contract and the plan for
17 implementation of any of the activities de-
18 scribed in subsection (b);

19 “(B) describe how the experts shall work
20 in consultation and collaboration with the ele-
21 mentary school or secondary school; and

22 “(C) provide measurable goals for and ex-
23 pected results from the use of the funds pro-
24 vided under the grant or contract.

1 **SEC. 7. GRANTS FOR TRAINING AND COLLABORATION**
 2 **AMONG CHILD WELFARE AGENCIES, DOMES-**
 3 **TIC VIOLENCE AND SEXUAL ASSAULT SERV-**
 4 **ICE PROVIDERS, THE COURTS AND LAW EN-**
 5 **FORCEMENT AGENCIES.**

6 The Family Violence Prevention and Services Act (42
 7 U.S.C. 10401 et seq.), as amended by section 5, is further
 8 amended by adding at the end the following:

9 **“SEC. 321. GRANTS FOR TRAINING AND COLLABORATION**
 10 **AMONG CHILD WELFARE AGENCIES, DOMES-**
 11 **TIC VIOLENCE AND SEXUAL ASSAULT SERV-**
 12 **ICE PROVIDERS, THE COURTS, AND LAW EN-**
 13 **FORCEMENT AGENCIES.**

14 “(a) PURPOSE.—It is the purpose of this section to—
 15 “(1) encourage cross training and collaboration
 16 between child welfare agencies and domestic violence
 17 and sexual assault service providers and, where ap-
 18 plicable, the courts and law enforcement agencies to
 19 identify, assess, and respond appropriately to domes-
 20 tic violence or sexual assault in homes where chil-
 21 dren are present and may be exposed to the violence,
 22 to domestic violence or sexual assault in child pro-
 23 tection cases, and to the needs of both child and
 24 adult victims of domestic violence and sexual as-
 25 sault;

1 “(2) establish and implement policies, proce-
2 dures, and practices in child welfare agencies, do-
3 mestic violence or sexual assault service programs
4 and, where applicable, juvenile, family or other trial
5 courts with jurisdiction over child maltreatment and
6 domestic violence cases (referred to in this section as
7 the ‘courts’), and law enforcement agencies that are
8 consistent with the principles of—

9 “(A) protecting children;

10 “(B) increasing the safety and well-being
11 of children, by—

12 “(i) tending to their immediate and
13 longer term needs for treatment and sup-
14 port;

15 “(ii) increasing the safety of parents
16 of children who are not the perpetrators of
17 domestic violence and sexual assault (re-
18 ferred to in this section as the ‘nonabusing
19 parent’);

20 “(iii) supporting the autonomy, capac-
21 ity, and financial security of the non-
22 abusing parents of children who are also
23 the victims of domestic violence or sexual
24 assault (referred to in this section as ‘adult
25 victims’);

1 “(iv) protecting the safety, security
2 and well being of the child by preventing
3 the unnecessary removal of the child from
4 the nonabusing parent; and

5 “(v) in cases where removal of the
6 child is necessary to protect the child’s
7 safety, taking the necessary steps to pro-
8 vide appropriate services to the child and
9 the nonabusing parent to promote the safe
10 and appropriately prompt reunification of
11 the child with the nonabusing parent;

12 “(C) recognizing—

13 “(i) the relationship between child
14 abuse and neglect, including child sexual
15 abuse, and domestic violence and sexual
16 assault in families;

17 “(ii) the impact of the perpetrator’s
18 behavior on child and adult victims of do-
19 mestic violence and sexual assault;

20 “(iii) the dangers posed to both child
21 and adult victims of domestic violence and
22 sexual assault;

23 “(iv) the physical, emotional, and de-
24 velopmental impact of domestic violence

1 and sexual assault on child and adult vic-
2 tims;

3 “(v) the physical, emotional, and fi-
4 nancial needs of adult victims of domestic
5 violence and sexual assault; and

6 “(vi) the need to hold adult perpetra-
7 tors of domestic violence and sexual as-
8 sault accountable for their abusive behav-
9 iors to provide appropriate services to re-
10 duce risks to child and adult victims of do-
11 mestic violence or sexual assault;

12 “(D) in the case of training for court per-
13 sonnel and law enforcement, holding adult per-
14 petrators of domestic violence, sexual assault,
15 and child abuse and neglect, not the child and
16 adult victims of domestic violence, sexual as-
17 sault, and child abuse and neglect, accountable
18 for stopping abusive behaviors; and

19 “(3) increase cooperation and enhance linkages
20 between child welfare agencies, domestic violence
21 and sexual assault service providers, juvenile, family
22 or other trial courts with jurisdiction over child mal-
23 treatment and domestic violence cases, and law en-
24 forcement agencies to protect and more comprehen-
25 sively and effectively serve both child and adult vic-

1 tims of domestic violence and sexual assault, and to
 2 engage where necessary other entities addressing the
 3 safety, health, mental health, social service, housing
 4 and economic needs of child and adult victims of do-
 5 mestic violence and sexual assault, including commu-
 6 nity-based supports such as schools, local health cen-
 7 ters, community action groups, and neighborhood
 8 coalitions.

9 “(b) GRANT AUTHORITY.—

10 “(1) IN GENERAL.—The Secretary shall make
 11 grants to eligible entities to enable the entities to
 12 jointly carry out cross training and other initiatives
 13 to promote collaboration that seeks to carry out the
 14 purposes of this section.

15 “(2) GRANT PERIODS.—Grants shall be award-
 16 ed under paragraph (1) for a period of 3 years.

17 “(3) ELIGIBLE ENTITIES.—To be eligible to re-
 18 ceive a grant under this section, a grant applicant
 19 shall establish a partnership that—

20 “(A) shall include—

21 “(i) a State child welfare agency, an
 22 Indian tribal organization that serves as a
 23 child welfare agency, or a local child wel-
 24 fare agency; and

1 “(ii) a domestic violence or sexual as-
2 sault service provider, such as—

3 “(I) a State, local, or tribal do-
4 mestic violence or sexual assault coali-
5 tion; or

6 “(II) another private non-profit
7 organization such as a community-
8 based domestic violence or sexual as-
9 sault program that is concerned with
10 domestic violence or sexual assault
11 and has a documented history of ef-
12 fective work concerning domestic vio-
13 lence or sexual assault and the impact
14 domestic violence or sexual assault
15 has on children; and

16 “(B) may include—

17 “(i) a State or local juvenile, family,
18 or other trial court with jurisdiction over
19 child maltreatment and domestic violence
20 cases; or

21 “(ii) a State or local law enforcement
22 agency with responsibility for responding
23 to reports of domestic violence or sexual
24 assault or child abuse and neglect.

1 “(c) USES OF FUNDS.—An entity that receives a
 2 grant under this section shall use the funds made available
 3 through the grant for cross-training and collaborative ef-
 4 forts, consistent with the principles described in subsection
 5 (a)(2), including—

6 “(1) to educate the staff of child welfare agen-
 7 cies and domestic violence and sexual assault service
 8 providers, and, as applicable, the staff of courts and
 9 law enforcement agencies to responsibly address do-
 10 mestic violence and sexual assault (recognizing it as
 11 a serious problem that threatens both its child and
 12 adult victims), and to understand—

13 “(A) domestic violence and sexual assault
 14 and their effects on children and adults;

15 “(B) child abuse and neglect and its ef-
 16 fects on children; and

17 “(C) child welfare policies that affect child
 18 and adult victims of domestic violence and sex-
 19 ual assault;

20 “(2) to ensure the effective handling of cases
 21 where domestic violence or sexual assault and child
 22 abuse and neglect intersect so as to—

23 “(A) assure the safety and well-being of
 24 both the child and the nonabusing parent;

1 “(B) prevent the unnecessary removal of
2 the child from the nonabusing parent, and,
3 when removal is necessary to protect the child’s
4 safety;

5 “(C) promote the delivery of appropriate
6 services to the child and to the nonabusing par-
7 ent; and

8 “(D) facilitate the safe and appropriately
9 prompt reunification of the child with the non-
10 abusing parent through the development and
11 implementation of policies, procedures, and pro-
12 grams that are consistent with the purposes of
13 this section;

14 “(3) to identify and assess, and respond appro-
15 priately to, domestic violence or sexual assault in
16 child protection cases and the needs of child victims
17 of abuse and neglect in domestic violence or sexual
18 assault cases;

19 “(4) to ensure that child welfare agencies and
20 domestic violence and sexual assault service pro-
21 viders will not be required to share confidential in-
22 formation with one another about families receiving
23 services except as required by law or with the in-
24 formed, written consent of the adult victim being
25 served;

1 “(5) to provide appropriate resources in child
2 abuse and neglect cases to respond to domestic vio-
3 lence and sexual assault, including developing a serv-
4 ice plan and providing other appropriate services
5 and interventions that ensure the safety of both the
6 child and adult victims of the domestic violence and
7 sexual assault;

8 “(6) to establish and enhance linkages and col-
9 laboration between child welfare agencies, domestic
10 violence or sexual assault service providers and,
11 where applicable, State or local juvenile, family, or
12 other trial courts with jurisdiction over child mal-
13 treatment and domestic violence cases, law enforce-
14 ment agencies, and other entities addressing the
15 safety, health, mental health, social service, housing,
16 and economic needs of child and adult victims of do-
17 mestic violence and sexual assault, including commu-
18 nity-based supports such as schools, local health cen-
19 ters, community action groups, and neighborhood
20 coalitions to—

21 “(i) respond effectively and comprehen-
22 sively to the varying needs of child and adult
23 victims of domestic violence and sexual assault
24 to prevent child and adult victims from having
25 to turn to child welfare agencies for assistance;

1 “(ii) include linguistically and cul-
2 turally appropriate services and linkages to
3 existing services; and

4 “(iii) include at least the following
5 services where appropriate:

6 “(I) Appropriate referrals to
7 community-based domestic violence
8 programs and sexual assault victim
9 service providers with the capacities to
10 support adult victims of domestic vio-
11 lence or sexual assault who are par-
12 ents of children who have been abused
13 or neglected or are at risk of being
14 abused or neglected.

15 “(II) Emergency shelter and
16 transitional housing for adult victims
17 of domestic violence or sexual assault
18 and their children.

19 “(III) Legal assistance and advo-
20 cacy for victims of domestic violence
21 or sexual assault including, when ap-
22 propriate, assistance in obtaining and
23 entering orders of protection.

24 “(IV) Support and training to
25 assist parents to help their children

1 cope with the impact of domestic vio-
2 lence or sexual assault.

3 “(V) Programs to help children
4 who have been exposed to domestic vi-
5 olence or sexual assault.

6 “(VI) Intervention and treatment
7 for adult perpetrators of domestic vio-
8 lence or sexual assault whose children
9 are the subjects of child protection
10 cases to promote the safety and well-
11 being of the children, and appropriate
12 coordination of such treatment with
13 the juvenile, family, and criminal
14 courts, and law enforcement agencies
15 with which the perpetrators are in-
16 volved.

17 “(VII) Health, mental health,
18 and other necessary supportive serv-
19 ices.

20 “(VIII) Assistance to obtain
21 housing and necessary economic sup-
22 ports.

23 “(d) APPLICATION.—To be eligible to receive a grant
24 under this section, the entities that are members of the
25 applicant partnership described in subsection (b)(3), shall

1 jointly submit an application to the Secretary at such
2 time, in such manner, and containing such information as
3 the Secretary may require. The application shall—

4 “(1) outline the specific training and other ac-
5 tivities that will be undertaken under the grant to
6 promote collaboration;

7 “(2) describe how the training and other activi-
8 ties described in subsection (c) will help achieve the
9 purposes of this section;

10 “(3) identify the agencies and providers that
11 will be responsible for carrying out the initiatives for
12 which the entities seek the grant;

13 “(4) include documentation from child welfare
14 agencies and domestic violence and sexual assault
15 victims service providers, and where applicable,
16 State or local juvenile, family, or other trial courts
17 with jurisdiction over child maltreatment and domes-
18 tic violence cases, and law enforcement agencies that
19 have been involved in the development of the appli-
20 cation;

21 “(5) describe the ongoing involvement of child
22 welfare and domestic violence and sexual assault vic-
23 tims service providers (including a description of
24 their roles as subcontractors, and documentation of
25 appropriate compensation, if relevant) and, where

1 applicable, courts and law enforcement agencies, in
2 the development of the training policies, procedures,
3 programs, and practices described in subsection
4 (c)(1); and

5 “(6) provide assurances that activities described
6 in subsection (c) will—

7 “(A) be provided to child welfare staff, in-
8 cluding line staff, supervisors, and administra-
9 tors, and be provided first to staff responsible
10 for investigation, follow-up, screening, intake,
11 assessment, and provision of services; and

12 “(B) be conducted jointly with child wel-
13 fare agency staff, staff from community-based
14 domestic violence programs and sexual assault
15 crisis centers and where applicable, courts and
16 law enforcement agencies;

17 “(C) comply with the principles described
18 in subsection (a)(2); and

19 “(D) address—

20 “(i) the dynamics and lethality of do-
21 mestic violence and sexual assault, the im-
22 pact of domestic violence and sexual as-
23 sault on children exposed to domestic vio-
24 lence and sexual assault, the impact of do-
25 mestic violence and sexual assault on adult

1 victims, and the relationship of domestic
2 violence and sexual assault to child abuse
3 and neglect;

4 “(ii) screening for domestic violence
5 and sexual assault and assessing danger to
6 the child and adult victims of domestic vio-
7 lence and sexual assault;

8 “(iii) applicable Federal, State, and
9 local laws pertaining to child abuse and ne-
10 glect and domestic violence and sexual as-
11 sault;

12 “(iv) the safety needs of child and
13 adult victims of child abuse and neglect or
14 domestic violence, or sexual assault and
15 appropriate interventions for the child and
16 adult victims that protect their the safety,
17 including appropriate services and treat-
18 ment for children and the nonabusing par-
19 ent to prevent the unnecessary removal of
20 children from the nonabusing parent, and
21 to promote prompt reunification if removal
22 becomes necessary of both types of victims
23 and give appropriate consideration to pre-
24 serving the safety of family members not
25 responsible for the child abuse or neglect;

1 “(v) appropriate interventions for
2 adult perpetrators of domestic violence to
3 reduce the risk of further violence toward
4 child and adult victims of domestic violence
5 and sexual assault which emphasize perpe-
6 trator accountability;

7 “(vi) appropriate supervision of child
8 welfare staff working with families in
9 which there has been domestic violence and
10 sexual assault, including supervision relat-
11 ing to issues involving the safety of the
12 child and adult victims and of the staff;

13 “(vii) the confidentiality needs of the
14 child and adult victims, consistent with
15 laws requiring mandatory reporting of
16 child abuse and neglect; and

17 “(viii) develop child protection case
18 plans that recognize the need to protect
19 the safety of the child and of the adult vic-
20 tim and to hold adult perpetrators, not vic-
21 tims, responsible for stopping domestic vio-
22 lence and sexual assault.

23 “(f) PRIORITY.—In awarding grants under this sec-
24 tion, the Secretary shall give priority to entities that have
25 submitted applications in partnership with State or local

1 juvenile, family, or other trial courts with jurisdiction over
2 child maltreatment and domestic violence cases, and law
3 enforcement agencies.

4 “(g) REPORTING, AND DISSEMINATION OF INFORMA-
5 TION.—

6 “(1) REPORTS.—Each of the entities that are
7 members of the applicant partnership described in
8 subsection (b)(3), that receive a grant under this
9 section shall jointly annually prepare and submit to
10 the Secretary a report detailing the activities that
11 the entities have undertaken under the grant and
12 such additional information as the Secretary shall
13 require. At a minimum, such report shall address
14 the nature of the cross-training and other activities
15 to promote collaboration among child welfare agen-
16 cies, domestic violence or sexual assault service pro-
17 viders, and where applicable, State or local juvenile,
18 family, or other trial courts with jurisdiction over
19 child maltreatment and domestic violence cases and
20 law enforcement agencies that were undertaken with
21 such grants and examples of enhanced collaboration
22 that has occurred to better protect both child and
23 adult victims of child abuse and domestic violence or
24 sexual assault.

1 “(2) DISSEMINATION OF INFORMATION.—Not
 2 later then 9 months after the end of the grant pe-
 3 riod under this section, the Secretary shall distribute
 4 to all State child welfare agencies, domestic violence
 5 or sexual assault victim service providers, and where
 6 applicable, State or local juvenile, family, or other
 7 trial courts with jurisdiction over child maltreatment
 8 and domestic violence cases, law enforcement agen-
 9 cies, and Congress summaries that contain informa-
 10 tion on—

11 “(A) the activities implemented by the re-
 12 cipients of the grants; and

13 “(B) related initiatives undertaken by the
 14 Secretary to promote attention by the staff of
 15 child welfare agencies, domestic violence or sex-
 16 ual assault service providers and where applica-
 17 ble, courts and law enforcement agencies to do-
 18 mestic violence and sexual assault and their im-
 19 pact on both child and adult victims.

20 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
 21 are authorized to be appropriated to carry out this section,
 22 \$15,000,000 in each of fiscal years 2002 through 2004,
 23 and \$25,000,000 in each of fiscal years 2005 and 2006.”.

1 **SEC. 8. MULTISYSTEM INTERVENTIONS FOR CHILDREN**
2 **WHO HAVE BEEN EXPOSED TO DOMESTIC VI-**
3 **OLENCE.**

4 The Family Violence Prevention and Services Act (42
5 U.S.C. 10401 et seq.), as amended by section 6, is further
6 amended by adding at the end the following:

7 **“SEC. 322. MULTISYSTEM INTERVENTIONS FOR CHILDREN**
8 **WHO HAVE BEEN EXPOSED TO DOMESTIC VI-**
9 **OLENCE.**

10 “(a) GRANTS AUTHORIZED.—The Secretary, acting
11 through the Director of Community Services of the Ad-
12 ministration for Children and Families, may award grants
13 to eligible entities to enable such entities to conduct pro-
14 grams to encourage the development and use of multi-
15 system intervention models that respond to the needs of
16 children who have been exposed to domestic violence.

17 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
18 a grant under this section, an entity shall—

19 “(1) be a nonprofit private organization;

20 “(2)(A) demonstrate recognized expertise in the
21 area of domestic violence and the impact of domestic
22 violence on children; or

23 “(B) have entered into a memorandum of un-
24 derstanding regarding the intervention program to
25 be established under the grant and the role of the
26 entity in the program with—

1 “(i) the appropriate State or tribal domes-
2 tic violence coalition; and

3 “(ii) entities carrying out domestic violence
4 programs that provide shelter or related assist-
5 ance in the locality in which the intervention
6 program will be operated and that have an un-
7 derstanding of its effects on children;

8 “(3)(A) demonstrate a recognized expertise in
9 child mental health services; or

10 “(B) have entered into a memorandum of un-
11 derstanding regarding the intervention program to
12 be established under the grant with providers that
13 have expertise in child mental health to ensure that
14 children of all ages have access to appropriate men-
15 tal health services; and

16 “(4) demonstrate a history of providing advo-
17 cacy, health care, mental health, or other crisis-re-
18 lated services to children.

19 “(c) USE OF FUNDS.—An entity that receives a grant
20 under this section shall use amounts provided under the
21 grant to design or replicate, and implement, multisystem
22 intervention models to respond to the needs of children
23 exposed to domestic violence. Such activities shall—

24 “(1)(A) involve collaborative partnerships
25 with—

1 “(i) local entities carrying out domestic vi-
2 olence programs that provide shelter or related
3 assistance or have expertise in the field of pro-
4 viding services to victims of domestic violence
5 and an understanding of its effects on children;
6 and

7 “(ii) other partners including courts,
8 schools, social service providers, health care
9 providers, police, early childhood agencies, enti-
10 ties carrying out Head Start programs under
11 the Head Start Act (42 U.S.C. 9831 et seq.),
12 or entities carrying out child protection, wel-
13 fare, job training, housing, battered women’s
14 service, or children’s mental health programs;
15 and

16 “(B) be carried out to design and implement
17 protocols and systems to identify, and appropriately
18 respond to the needs of children who have been ex-
19 posed to domestic violence and who participate in
20 programs administered by the partners;

21 “(2) establish or implement guidelines to evalu-
22 ate the needs of a child and make appropriate inter-
23 vention recommendations;

24 “(3) include the development or replication of a
25 mental health treatment model to meet the needs of

1 children for whom such treatment has been identi-
2 fied as appropriate;

3 “(4) establish or implement institutionalized
4 procedures to enhance or ensure the safety and secu-
5 rity of a battered parent, and as a result, the child
6 of the parent;

7 “(5) provide direct counseling and advocacy for
8 adult victims of domestic violence and their children
9 who have been exposed to domestic violence;

10 “(6) establish or implement policies and proto-
11 cols for maintaining the confidentiality of the bat-
12 tered parent and child;

13 “(7) provide community outreach and training
14 to enhance the capacity of professionals who work
15 with children to appropriately identify and respond
16 to the needs of children who have been exposed to
17 domestic violence;

18 “(8) establish procedures for documenting
19 interventions used for each child and family;

20 “(9) establish plans to perform a systematic
21 outcome evaluation to evaluate the effectiveness of
22 the interventions;

23 “(10) ensure that all services are provided in a
24 culturally competent manner; and

1 “(11) provide remuneration to local domestic vi-
2 olence services organizations who are asked to join
3 collaborations.

4 “(d) APPLICATION.—To be eligible to receive a grant
5 under this section, an entity shall prepare and submit to
6 the Secretary an application at such time, in such manner,
7 and containing such information as the Secretary may re-
8 quire.

9 “(e) TERM AND AMOUNT.—A grant awarded under
10 this section shall be awarded for a term of 3 years and
11 in an amount of not more than \$500,000 for each such
12 year.

13 “(f) TECHNICAL ASSISTANCE.—Not later than 90
14 days after the date of enactment of this section, the Sec-
15 retary shall identify successful programs that provide
16 multisystem and mental health interventions to address
17 the needs of children who have been exposed to domestic
18 violence. Not later than 60 days before the Secretary solici-
19 its applications for grants under this section, the Sec-
20 retary shall enter into an agreement with 1 or more enti-
21 ties carrying out the identified programs to provide tech-
22 nical assistance to applicants and recipients of such
23 grants. The Secretary may use not more than 5 percent
24 of the amount appropriated for a fiscal year under sub-
25 section (g) to provide such technical assistance.

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—

2 “(1) IN GENERAL.—There is authorized to be
3 appropriated to carry out this section, \$15,000,000
4 for each of fiscal years 2002 through 2006.

5 “(2) AVAILABILITY.—Amounts appropriated
6 under paragraph (1) shall remain available until ex-
7 pended.”.

8 **SEC. 9. CRISIS NURSERY DEMONSTRATION GRANTS PRO-**
9 **GRAM.**

10 The Family Violence Prevention and Services Act (42
11 U.S.C. 10401 et seq.), as amended by section 8, is further
12 amended by adding at the end the following:

13 **“SEC. 323. CRISIS NURSERY DEMONSTRATION GRANT PRO-**
14 **GRAMS.**

15 “(a) AUTHORITY TO ESTABLISH DEMONSTRATION
16 GRANT PROGRAMS.—The Secretary may establish dem-
17 onstration programs under which grants are awarded to
18 States to assist private nonprofit and public agencies and
19 organizations in providing crisis nurseries for children who
20 are abused and neglected, are at risk of abuse and neglect,
21 are in families experiencing domestic violence, or are in
22 families receiving child protective services.

23 “(b) ASSURANCES FOR TRAINING IN DOMESTIC VIO-
24 LENCE.—

1 “(1) IN GENERAL.—Private nonprofit and pub-
2 lic agencies and organizations who receive funds
3 under this section shall provide assurances to the
4 Secretary that personnel working with children and
5 families in crisis nurseries receive or have received
6 training in domestic violence, the impact of domestic
7 violence on children, appropriate procedures for
8 maintaining the safety and security of victims of do-
9 mestic violence and their children, and appropriate
10 procedures for maintaining the confidentiality of
11 both child and adult victims of domestic violence uti-
12 lizing the services of crisis nurseries.

13 “(2) TRAINING REQUIREMENT.—Training re-
14 quired under paragraph (1) shall be conducted in
15 consultation with State, local, or tribal domestic vio-
16 lence coalitions or other private nonprofit organiza-
17 tions such as a community-based domestic violence
18 program that has a documented history of serving
19 both child and adult victims of domestic violence.

20 “(c) COORDINATION.—An applicant for a grant
21 under this section shall demonstrate how activities funded
22 under this section will be coordinated with other crisis
23 nursery activities funded under section 201 of the Child
24 Abuse Prevention and Treatment Act.

1 “(d) REPORTING.—A recipient of a grant under this
2 section shall annually report on the crisis nursery activi-
3 ties funded under this grant. At a minimum, such a report
4 shall describe—

5 “(1) the number of children and families served
6 through crisis nursery activities established under
7 the grant;

8 “(2) the nature and extent of the crisis nursery
9 activities;

10 “(3) the percentage of children served by the
11 crisis nursery activities established under the grant
12 who are from families experiencing domestic vio-
13 lence;

14 “(4) the type of domestic violence training pro-
15 vided to crisis nursery staff and the nature and ex-
16 tent of training coordination with local domestic vio-
17 lence service providers;

18 “(5) the nature and extent of other Federal and
19 State funding sources used to support the services of
20 the crisis nursery;

21 “(6) the gaps between the service needs of the
22 crisis nursery and the current capacity of crisis
23 nurseries to serve children and families; and

24 “(7) outcome evaluation data on the effective-
25 ness of crisis nursery activities, if available.

1 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 2 is authorized to be appropriated to carry out this section,
 3 \$15,000,000 for each of fiscal years 2002 through 2006.”.

4 **SEC. 10. RESEARCH AND DATA COLLECTION ON THE IM-**
 5 **PACT OF DOMESTIC VIOLENCE ON CHIL-**
 6 **DREN.**

7 The Family Violence Prevention and Services Act (42
 8 U.S.C. 10401 et seq.), as amended by section 9, is further
 9 amended by adding at the end the following:

10 **“SEC. 324. RESEARCH AND DATA COLLECTION ON THE IM-**
 11 **PACT OF DOMESTIC VIOLENCE ON CHIL-**
 12 **DREN.**

13 “(a) GRANTS.—The Secretary, acting through the
 14 Assistant Secretary for Children and Families, may award
 15 competitive grants to eligible entities to enable such enti-
 16 ties to conduct research and data collection activities con-
 17 cerning the impact of domestic violence on children.

18 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
 19 a grant under this section, an entity shall be an institution
 20 of higher education or another nonprofit organization
 21 (such as a research entity, hospital, or mental health insti-
 22 tution), with documented experience with research or data
 23 collection concerning the impact of domestic violence on
 24 children.

1 “(c) USE OF FUNDS.—An entity that receives a grant
2 under this section shall use amounts provided under the
3 grant to conduct new or expand current research or data
4 collection—

5 “(1) on the prevalence of childhood exposure to
6 domestic violence and the effects of the exposure in
7 child and adult victims;

8 “(2) on the co-occurrence of domestic violence,
9 and child abuse or neglect;

10 “(3) on linkages between children’s exposure to
11 domestic violence and violent behavior in youth and
12 adults;

13 “(4) that evaluates new or existing treatments
14 aimed at children exposed to domestic violence;

15 “(5) on the prevalence of childhood exposure to
16 domestic violence for Native American children;

17 “(6) on the effects and benefits of keeping chil-
18 dren with their nonabusive parent and providing co-
19 ordinated services to both;

20 “(7) on the role of children’s resilience and
21 other factors that help mitigate the effects of expo-
22 sure to domestic violence; and

23 “(8) on related matters, if the research or data
24 collection directly addresses the impact of domestic
25 violence on children.

1 “(d) TERM AND AMOUNT.—The Secretary shall
2 award grants under this section for terms of 3 years and
3 in amount of not more than \$500,000 for each such year.

4 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to carry out this section,
6 \$2,000,000 for each of fiscal years 2002 through 2004,
7 and \$5,000,000 for each of fiscal years 2005 and 2006.”.

○