

the purpose of studying ways to reduce violent crimes against women in public transit through better design or operation of public transit systems.

(f) General requirements

All grants or loans provided under this section shall be subject to the same terms, conditions, requirements, and provisions applicable to grants and loans as specified in section 5321 of title 49.

(Pub. L. 103-322, title IV, §40131, Sept. 13, 1994, 108 Stat. 1916.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsecs. (a) and (d), is Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1796, known as the Violent Crime Control and Law Enforcement Act of 1994. For complete classification of this Act to the Code, see Short Title of 1994 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 13931 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

SUBPART 2—ASSISTANCE TO VICTIMS OF SEXUAL ASSAULT

§ 12311. Training programs

(a) In general

The Attorney General, after consultation with victim advocates and individuals who have expertise in treating sex offenders, shall establish criteria and develop training programs to assist probation and parole officers and other personnel who work with released sex offenders in the areas of—

- (1) case management;
- (2) supervision; and
- (3) relapse prevention.

(b) Training programs

The Attorney General shall ensure, to the extent practicable, that training programs developed under subsection (a) are available in geographically diverse locations throughout the country.

(c) Authorization of appropriations

There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2023 through 2027.

(Pub. L. 103-322, title IV, §40152, Sept. 13, 1994, 108 Stat. 1920; Pub. L. 109-162, title I, §108, title XI, §1167, Jan. 5, 2006, 119 Stat. 2984, 3121; Pub. L. 109-271, §2(a), (b), Aug. 12, 2006, 120 Stat. 751, 752; Pub. L. 113-4, title I, §105, Mar. 7, 2013, 127 Stat. 77; Pub. L. 117-103, div. W, title XIII, §1304, Mar. 15, 2022, 136 Stat. 927.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 13941 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2022—Subsec. (c). Pub. L. 117-103 amended subsec. (c) generally. Prior to amendment, text read as follows:

“There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2014 through 2018.”

2013—Subsec. (c). Pub. L. 113-4 substituted “\$5,000,000 for each of fiscal years 2014 through 2018.” for “\$5,000,000 for each of fiscal years 2007 through 2011.”

2006—Subsec. (c). Pub. L. 109-271, §2(b), which directed amendment of section 1167 of the Violence Against Women Act of 2005, Pub. L. 109-162, by substituting “2007 through 2011” for “2006 through 2010”, was executed to subsec. (c) of this section, which is section 40152 of the Violence Against Women Act of 1994, as amended by section 1167 of Pub. L. 109-162, to reflect the probable intent of Congress. See below.

Pub. L. 109-162, §1167, added subsec. (c) and struck out heading and text of former subsec. (c) which authorized appropriations to carry out this section for fiscal years 1996 and 1997.

Pub. L. 109-162, §108, which directed the striking of subsec. (c) and the insertion of a new subsec. (c), authorizing appropriations to carry out this section for fiscal years 2007 through 2011, was repealed by Pub. L. 109-271, §2(a).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117-103 not effective until Oct. 1 of the first fiscal year beginning after Mar. 15, 2022, see section 4(a) of div. W of Pub. L. 117-103, set out as an Effective Date note under section 6851 of Title 15, Commerce and Trade.

EFFECTIVE DATE OF 2013 AMENDMENT

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

§ 12312. Confidentiality of communications between sexual assault or domestic violence victims and their counselors

(a) Study and development of model legislation

The Attorney General shall—

(1) study and evaluate the manner in which the States have taken measures to protect the confidentiality of communications between sexual assault or domestic violence victims and their therapists or trained counselors;

(2) develop model legislation that will provide the maximum protection possible for the confidentiality of such communications, within any applicable constitutional limits, taking into account the following factors:

(A) the danger that counseling programs for victims of sexual assault and domestic violence will be unable to achieve their goal of helping victims recover from the trauma associated with these crimes if there is no assurance that the records of the counseling sessions will be kept confidential;

(B) consideration of the appropriateness of an absolute privilege for communications between victims of sexual assault or domestic violence and their therapists or trained counselors, in light of the likelihood that such an absolute privilege will provide the maximum guarantee of confidentiality but also in light of the possibility that such an absolute privilege may be held to violate the rights of criminal defendants under the Federal or State constitutions by denying them the opportunity to obtain exculpatory evidence and present it at trial; and