

§ 12407. Recommendations on intrastate communication

The State Justice Institute, after consultation with nationally recognized nonprofit associations with expertise in data sharing among criminal justice agencies and familiarity with the issues raised in stalking and domestic violence cases, shall recommend proposals regarding how State courts may increase intrastate communication between civil and criminal courts.

(Pub. L. 103–322, title IV, § 40608, Sept. 13, 1994, 108 Stat. 1952.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14037 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 12408. Inclusion in National Incident-Based Reporting System

Not later than 2 years after September 13, 1994, the Attorney General, in accordance with the States, shall compile data regarding domestic violence and intimidation (including stalking) as part of the National Incident-Based Reporting System (NIBRS).

(Pub. L. 103–322, title IV, § 40609, Sept. 13, 1994, 108 Stat. 1952.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14038 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 12409. Report to Congress

Each even-numbered fiscal year, the Attorney General shall submit to the Congress a biennial report that provides information concerning the incidence of stalking and domestic violence, and evaluates the effectiveness of State antistalking efforts and legislation.

(Pub. L. 103–322, title IV, § 40610, Sept. 13, 1994, 108 Stat. 1952; Pub. L. 109–162, § 3(b)(1), title XI, § 1135(a), Jan. 5, 2006, 119 Stat. 2971, 3108; Pub. L. 109–271, §§ 2(d), 8(b), Aug. 12, 2006, 120 Stat. 752, 766.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14039 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2006—Pub. L. 109–162, § 1135(a), which directed an amendment substantially identical to that directed by Pub. L. 109–162, § 3(b)(1), was repealed by Pub. L. 109–271.

Pub. L. 109–162, § 3(b)(1), which directed the substitution of “Each even-numbered fiscal year, the Attorney General shall submit to the Congress a biennial report that provides” for “The Attorney General shall submit to the Congress an annual report, beginning 1 year after September 13, 1994, that provides”, was executed by making the substitution for “The Attorney General shall submit to the Congress an annual report,

beginning one year after September 13, 1994, that provides”, to reflect the probable intent of Congress.

Statutory Notes and Related Subsidiaries

REPORT RELATING TO STALKING LAWS

Pub. L. 105–119, title I, § 115(b)(2), Nov. 26, 1997, 111 Stat. 2467, provided that: “The Attorney General shall include in an annual report under section 40610 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14039) [now 34 U.S.C. 12409] information concerning existing or proposed State laws and penalties for stalking crimes against children.”

§ 12410. Definitions

As used in this part—

(1) the term “national crime information databases” refers to the National Crime Information Center and its incorporated criminal history databases, including the Interstate Identification Index; and

(2) the term “protection order” includes an injunction or any other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including temporary and final orders issued by civil or criminal courts (other than support or child custody orders) whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

(Pub. L. 103–322, title IV, § 40611, Sept. 13, 1994, 108 Stat. 1952.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14040 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PART G—TRAINING AND SERVICES TO END ABUSE LATER IN LIFE

Editorial Notes

CODIFICATION

This part was, in the original, subtitle H of title IV of Pub. L. 103–322, as added by Pub. L. 106–386, and was redesignated as part G of this subchapter for purposes of codification.

Pub. L. 117–103, div. W, title II, § 204(1), Mar. 15, 2022, 136 Stat. 857, substituted “Training” for “Enhanced Training” in heading.

Pub. L. 113–4, title II, § 204(a), Mar. 7, 2013, 127 Stat. 82, substituted “ENHANCED TRAINING AND SERVICES TO END ABUSE LATER IN LIFE” for “ELDER ABUSE, NEGLECT, AND EXPLOITATION, INCLUDING DOMESTIC VIOLENCE AND SEXUAL ASSAULT AGAINST OLDER OR DISABLED INDIVIDUALS” in heading.

§ 12421. Training and services to end abuse in later life

The Attorney General shall make grants to eligible entities in accordance with the following:

(1) Mandatory and permissible activities

(A) Mandatory activities

An eligible entity receiving a grant under this section shall use the funds received under the grant to—

(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, or relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of abuse in later life;

(ii) provide or enhance services for victims of abuse in later life;

(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life; and

(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based leaders, victim advocates, victim service providers, courts, and first responders to better serve older victims.

(B) Permissible activities

An eligible entity receiving a grant under this section may use the funds received under the grant to—

(i) provide training programs to assist attorneys, health care providers, faith-based leaders, community-based organizations, or other professionals who may identify or respond to abuse in later life; or

(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life receive appropriate assistance.

(C) Waiver

The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

(D) Limitation

An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

(2) Eligible entities

An entity shall be eligible to receive a grant under this section if—

(A) the entity is—

- (i) a State;
- (ii) a unit of local government;
- (iii) a tribal government or tribal organization;
- (iv) a population specific organization;
- (v) a victim service provider; or
- (vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

- (i) a law enforcement agency;
- (ii) a prosecutor's office;
- (iii) a victim service provider; and
- (iv) a nonprofit program or government agency with demonstrated experience in

assisting individuals 50 years of age or over.

(3) Underserved populations

In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

(4) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2023 through 2027.

(Pub. L. 103-322, title IV, § 40801, as added Pub. L. 106-386, div. B, title II, § 1209(a), Oct. 28, 2000, 114 Stat. 1508; amended Pub. L. 113-4, title II, § 204(a), Mar. 7, 2013, 127 Stat. 82; Pub. L. 117-103, div. W, title II, § 204(2), Mar. 15, 2022, 136 Stat. 857.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14041 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2022—Pub. L. 117-103, § 204(2)(B), (C)(i), (ii), inserted introductory provisions, struck out subsec. (a) which defined “exploitation”, “later life”, and “neglect”, struck out subsec. (b) designation and heading and text of par. (1) of former subsec. (b) which authorized the Attorney General to make grants to eligible entities, and redesignated pars. (2) to (5) of former subsec. (b) as pars. (1) to (4).

Pub. L. 117-103, § 204(2)(A), substituted “Training” for “Enhanced training” in section catchline.

Par. (1). Pub. L. 117-103, § 204(2)(C)(iii)(I), struck out “, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect” after “life” wherever appearing.

Par. (1)(A)(i). Pub. L. 117-103, § 204(2)(C)(iii)(II)(aa), substituted “victim advocates, or” for “victim advocates, and” and “abuse in later life” for “elder abuse”.

Par. (1)(A)(iv). Pub. L. 117-103, § 204(2)(C)(iii)(II)(bb), substituted “leaders, victim advocates, victim service providers, courts, and first responders to better serve older victims” for “advocates, victim service providers, and courts to better serve victims of abuse in later life”.

Par. (1)(B)(i). Pub. L. 117-103, § 204(2)(C)(iii)(III)(aa), substituted “community-based organizations, or other professionals who may identify or respond to abuse in later life” for “or other community-based organizations in recognizing and addressing instances of abuse in later life”.

Par. (1)(B)(ii). Pub. L. 117-103, § 204(2)(C)(iii)(III)(bb), which directed amendment of cl. (ii) by striking “elder abuse and”, could not be executed because the words “elder abuse and” did not appear in text.

Par. (2)(A)(iv). Pub. L. 117-103, § 204(2)(C)(iv)(I)(aa), struck out “with demonstrated experience in assisting individuals over 50 years of age” after “organization”.

Par. (2)(A)(v). Pub. L. 117-103, § 204(2)(C)(iv)(I)(bb), struck out “with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking” after “provider”.

Par. (2)(B)(iv). Pub. L. 117-103, § 204(2)(C)(iv)(II), substituted “50 years of age or over.” for “in later life”.

Par. (4). Pub. L. 117-103, § 204(2)(C)(v), substituted “\$10,000,000” for “\$9,000,000” and “2023 through 2027” for “2014 through 2018”.

2013—Pub. L. 113-4 amended section generally. Prior to amendment, section defined terms for this part.

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.

PART H—DOMESTIC VIOLENCE TASK FORCE**§ 12431. Task force****(a) Establish**

The Attorney General, in consultation with national nonprofit, nongovernmental organizations whose primary expertise is in domestic violence, shall establish a task force to coordinate research on domestic violence and to report to Congress on any overlapping or duplication of efforts on domestic violence issues. The task force shall be comprised of representatives from all Federal agencies that fund such research.

(b) Uses of funds

Funds appropriated under this section shall be used to—

- (1) develop a coordinated strategy to strengthen research focused on domestic violence education, prevention, and intervention strategies;
- (2) track and report all Federal research and expenditures on domestic violence; and
- (3) identify gaps and duplication of efforts in domestic violence research and governmental expenditures on domestic violence issues.

(c) Report

The Task Force shall report to Congress annually on its work under subsection (b).

(d) Definition

For purposes of this section, the term “domestic violence” has the meaning given such term by section 10447¹ of this title.

(e) Authorization of Appropriations

There is authorized to be appropriated to carry out this section \$500,000 for each of fiscal years 2001 through 2004.

(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.

¹ See References in Text note below.

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;