

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.

§ 12512. Working Group

(a) In general

The Attorney General, in consultation with the Secretary of Health and Human Services (referred to in this section as the “Secretary”), shall establish a joint working group (referred to in this section as the “Working Group”) to develop, coordinate, and disseminate best practices regarding the care and treatment of sexual assault survivors and the preservation of forensic evidence.

(b) Consultation with stakeholders

The Working Group shall consult with—

- (1) stakeholders in law enforcement, prosecution, forensic laboratory, counseling, forensic examiner, medical facility, and medical provider communities; and
- (2) representatives of not less than 3 entities with demonstrated expertise in sexual assault prevention, sexual assault advocacy, or representation of sexual assault victims, of which not less than 1 representative shall be a sexual assault victim.

(c) Membership

The Working Group shall be composed of governmental or nongovernmental agency heads at the discretion of the Attorney General, in consultation with the Secretary.

(d) Duties

The Working Group shall—

- (1) develop recommendations for improving the coordination of the dissemination and implementation of best practices and protocols regarding the care and treatment of sexual assault survivors and the preservation of evidence to hospital administrators, physicians, forensic examiners, and other medical associations and leaders in the medical community;
- (2) encourage, where appropriate, the adoption and implementation of best practices and protocols regarding the care and treatment of sexual assault survivors and the preservation of evidence among hospital administrators, physicians, forensic examiners, and other medical associations and leaders in the medical community;
- (3) develop recommendations to promote the coordination of the dissemination and implementation of best practices regarding the care and treatment of sexual assault survivors and the preservation of evidence to State attorneys general, United States attorneys, heads of State law enforcement agencies, forensic laboratory directors and managers, and other leaders in the law enforcement community;
- (4) develop and implement, where practicable, incentives to encourage the adoption or implementation of best practices regarding the care and treatment of sexual assault sur-

vivors and the preservation of evidence among State attorneys general, United States attorneys, heads of State law enforcement agencies, forensic laboratory directors and managers, and other leaders in the law enforcement community;

(5) collect feedback from stakeholders, practitioners, and leadership throughout the Federal and State law enforcement, victim services, forensic science practitioner, and health care communities to inform development of future best practices or clinical guidelines regarding the care and treatment of sexual assault survivors; and

(6) perform other activities, such as activities relating to development, dissemination, outreach, engagement, or training associated with advancing victim-centered care for sexual assault survivors.

(e) Report

Not later than 2 years after October 7, 2016, the Working Group shall submit to the Attorney General, the Secretary, and Congress a report containing the findings and recommended actions of the Working Group.

(Pub. L. 114-236, §4, Oct. 7, 2016, 130 Stat. 968.)

Editorial Notes

CODIFICATION

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

Section was enacted as part of the Survivors' Bill of Rights Act of 2016, and not as part of the Violent Crime Control and Law Enforcement Act of 1994 which enacted this chapter.

PART O—TRAUMA-INFORMED, VICTIM-CENTERED TRAINING FOR LAW ENFORCEMENT

§ 12513. Demonstration program on trauma-informed, victim-centered training for law enforcement

(a) Definitions

In this section—

- (1) the term “Attorney General” means the Attorney General, acting through the Director of the Office on Violence Against Women;
- (2) the term “covered individual” means an individual who interfaces with victims of domestic violence, dating violence, sexual assault, and stalking, including—
 - (A) an individual working for or on behalf of an eligible entity;
 - (B) an administrator or personnel of a school, university, or other educational program or activity (including a campus police officer or a school resource officer); and
 - (C) an emergency services or medical employee;
- (3) the term “demonstration site”, with respect to an eligible entity that receives a grant under this section, means the area over which the eligible entity has jurisdiction;
- (4) the term “eligible entity” means a State, local, territorial, or Tribal law enforcement agency; and
- (5) the term “mandatory partner” means a national, regional, or local victim services or-

ganization or agency working in collaboration with a law enforcement agency described in paragraph (4).

(b) Grants authorized

(1) In general

The Attorney General shall award grants on a competitive basis to eligible entities to collaborate with their mandatory partners to carry out the demonstration program under this section by implementing evidence-based or promising investigative policies and practices to incorporate trauma-informed, victim-centered techniques designed to—

- (A) prevent re-traumatization of the victim;
- (B) ensure that covered individuals use evidence-based practices to respond to and investigate cases of domestic violence, dating violence, sexual assault, and stalking;
- (C) improve communication between victims and law enforcement officers in an effort to increase the likelihood of the successful investigation and prosecution of the reported crime in a manner that protects the victim to the greatest extent possible;
- (D) increase collaboration among stakeholders who are part of the coordinated community response to domestic violence, dating violence, sexual assault, and stalking; and
- (E) evaluate the effectiveness of the training process and content.

(2) Award basis

The Attorney General shall award grants under this section to multiple eligible entities for use in a variety of settings and communities, including—

- (A) urban, suburban, Tribal, remote, and rural areas;
- (B) college campuses; or
- (C) traditionally underserved communities.

(c) Use of funds

An eligible entity that receives a grant under this section shall use the grant to—

- (1) train covered individuals within the demonstration site of the eligible entity to use evidence-based, trauma-informed, and victim-centered techniques and knowledge of crime victims' rights throughout an investigation into domestic violence, dating violence, sexual assault, or stalking, including by—
 - (A) conducting victim interviews in a manner that—
 - (i) elicits valuable information about the domestic violence, dating violence, sexual assault, or stalking; and
 - (ii) avoids re-traumatization of the victim;
 - (B) conducting field investigations that mirror best and promising practices available at the time of the investigation;
 - (C) customizing investigative approaches to ensure a culturally and linguistically appropriate approach to the community being served;
 - (D) becoming proficient in understanding and responding to complex cases, including

cases of domestic violence, dating violence, sexual assault, or stalking—

- (i) facilitated by alcohol or drugs;
 - (ii) involving strangulation;
 - (iii) committed by a non-stranger;
 - (iv) committed by an individual of the same sex as the victim;
 - (v) involving a victim with a disability;
 - (vi) involving a male victim; or
 - (vii) involving a lesbian, gay, bisexual, or transgender (commonly referred to as “LGBT”) victim;
- (E) developing collaborative relationships between—
- (i) law enforcement officers and other members of the response team; and
 - (ii) the community being served; and
- (F) developing an understanding of how to define, identify, and correctly classify a report of domestic violence, dating violence, sexual assault, or stalking; and

(2) promote the efforts of the eligible entity to improve the response of covered individuals to domestic violence, dating violence, sexual assault, and stalking through various communication channels, such as the website of the eligible entity, social media, print materials, and community meetings, in order to ensure that all covered individuals within the demonstration site of the eligible entity are aware of those efforts and included in trainings, to the extent practicable.

(d) Demonstration program trainings on trauma-informed, victim-centered approaches

(1) Identification of existing trainings

(A) In general

The Attorney General shall identify trainings for law enforcement officers, in existence as of the date on which the Attorney General begins to solicit applications for grants under this section, that—

- (i) employ a trauma-informed, victim-centered approach to domestic violence, dating violence, sexual assault, and stalking; and
- (ii) focus on the fundamentals of—
 - (I) trauma responses;
 - (II) the impact of trauma on victims of domestic violence, dating violence, sexual assault, and stalking; and
 - (III) techniques for effectively investigating domestic violence, dating violence, sexual assault, and stalking.

(B) Selection

An eligible entity that receives a grant under this section shall select one or more of the approaches employed by a training identified under subparagraph (A) to test within the demonstration site of the eligible entity.

(2) Consultation

In carrying out paragraph (1), the Attorney General shall consult with the Director of the Office for Victims of Crime in order to seek input from and cultivate consensus among outside practitioners and other stakeholders through facilitated discussions and focus groups on best practices in the field of trau-

ma-informed, victim-centered care for victims of domestic violence, dating violence, sexual assault, and stalking.

(e) Evaluation

The Attorney General, in consultation with the Director of the National Institute of Justice, shall require each eligible entity that receives a grant under this section to identify a research partner, preferably a local research partner, to—

- (1) design a system for generating and collecting the appropriate data to facilitate an independent process or impact evaluation of the use of the grant funds;
- (2) periodically conduct an evaluation described in paragraph (1); and
- (3) periodically make publicly available, during the grant period—
 - (A) preliminary results of the evaluations conducted under paragraph (2); and
 - (B) recommendations for improving the use of the grant funds.

(f) Authorization of appropriations

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

(g) Rule of construction

Nothing in this section shall be construed to interfere with the due process rights of any individual.

(Pub. L. 103–322, title IV, §41701, as added Pub. L. 117–103, div. W, title II, §205(b), Mar. 15, 2022, 136 Stat. 859.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section 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 a note under section 6851 of Title 15, Commerce and Trade.

SHORT TITLE

For short title of section 205 of Pub. L. 117–103, which enacted this part, as the “Abby Honold Act”, see section 205(a) of Pub. L. 117–103, set out as a Short Title of 2022 Amendment note under section 10101 of this title.

PART P—RESTORATIVE PRACTICES

§ 12514. Pilot program on restorative practices

(a) Definitions

In this section:

(1) Director

The term “Director” means the Director of the Office on Violence Against Women.

(2) Eligible entity

The term “eligible entity” means—

- (A) a State;
- (B) a unit of local government;
- (C) a tribal government;
- (D) a tribal organization;
- (E) a victim service provider;
- (F) an institution of higher education (as defined in section 1001(a) of title 20; and
- (G) a private or public nonprofit organization, including—
 - (i) a tribal nonprofit organization; and

- (ii) a faith-based nonprofit organization.

(3) Restorative practice

The term “restorative practice” means a practice relating to a specific harm that—

- (A) is community-based and unaffiliated with any civil or criminal legal process;
- (B) is initiated by a victim of the harm;
- (C) involves, on a voluntary basis and without any evidence of coercion or intimidation of any victim of the harm by any individual who committed the harm or anyone associated with any such individual—
 - (i) 1 or more individuals who committed the harm;
 - (ii) 1 or more victims of the harm; and
 - (iii) the community affected by the harm through 1 or more representatives of the community;

(D) shall include and has the goal of—

- (i) collectively seeking accountability from 1 or more individuals who committed the harm;
- (ii) developing a written process whereby 1 or more individuals who committed the harm will take responsibility for the actions that caused harm to 1 or more victims of the harm; and
- (iii) developing a written course of action plan—
 - (I) that is responsive to the needs of 1 or more victims of the harm; and
 - (II) upon which 1 or more victims, 1 or more individuals who committed the harm, and the community can agree; and

(E) is conducted in a victim services framework that protects the safety and supports the autonomy of 1 or more victims of the harm and the community.

(b) Grants authorized

The Director shall award grants to eligible entities to develop and implement a program, or to assess best practices, for—

- (1) restorative practices to prevent or address domestic violence, dating violence, sexual assault, or stalking;
- (2) training by eligible entities, or for eligible entities, courts, or prosecutors, on restorative practices and program implementation; and
- (3) evaluations of a restorative practice described in paragraph (1).

(c) Priority

In awarding grants under subsection (b), the Director shall give priority to eligible entities that submit proposals that meaningfully address the needs of culturally specific or underserved populations.

(d) Qualifications

To be eligible to receive a grant under this section, an eligible entity shall demonstrate a history of comprehensive training and experience in working with victims of domestic violence, dating violence, sexual assault, or stalking.

(e) Program requirements

(1) In general

An eligible entity or a subgrantee of an eligible entity that offers a restorative practices