

109TH CONGRESS
1ST SESSION

H. RES. 382

Expressing the sense of the House of Representatives with respect to the enforcement of restraining orders.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2005

Mrs. CAPPS (for herself and Mr. NADLER) submitted the following resolution;
which was referred to the Committee on the Judiciary

RESOLUTION

Expressing the sense of the House of Representatives with respect to the enforcement of restraining orders.

Whereas nearly one-third of American women report being physically or sexually abused by a boyfriend or husband at some point in their lives;

Whereas intimate partner violence tends to be a pattern, rather than a one-time occurrence;

Whereas domestic homicide is often the result of continuing abuse;

Whereas restraining orders are necessary to protect victims of violence from further abuse and decrease the risk of continuing abuse or homicide;

Whereas nearly half of all victims who obtain restraining orders are abused again;

Whereas restraining orders exist to protect victims of domestic violence, sexual assault, stalking, and dating violence and include explicit instructions that violation of such orders are cause for arrest;

Whereas law enforcement officials are directed to use every reasonable means to enforce a restraining order;

Whereas the Supreme Court's recent decision in *Castle Rock v. Gonzales* narrowed individuals' Federal court recourse against police for failing to enforce a restraining order; and

Whereas this decision highlights the need to better protect victims of domestic violence from violators of restraining orders: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that Congress should act and encourage
3 States to act—

4 (1) to ensure that restraining orders are uni-
5 formly enforced; and

6 (2) to protect victims of domestic violence, sex-
7 ual assault, stalking, and dating violence from per-
8 petrators.

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