

116TH CONGRESS
1ST SESSION

S. 171

To authorize the Office on Violence Against Women to improve the handling of crimes of domestic violence, dating violence, sexual assault, and stalking by incorporating a trauma-informed approach into the initial response to and investigation of such crimes.

IN THE SENATE OF THE UNITED STATES

JANUARY 16, 2019

Ms. KLOBUCHAR (for herself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To authorize the Office on Violence Against Women to improve the handling of crimes of domestic violence, dating violence, sexual assault, and stalking by incorporating a trauma-informed approach into the initial response to and investigation of such crimes.

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 “Abby Honold Act”.

5 **SEC. 2. DEMONSTRATION PROGRAM ON TRAUMA-IN-**
6 **FORMED TRAINING FOR LAW ENFORCEMENT.**

7 (a) DEFINITIONS.—In this section—

1 (1) the term “Attorney General” means the At-
2 torney General, acting through the Director of the
3 Office on Violence Against Women;

4 (2) the term “covered individual” means an in-
5 dividual who interfaces with victims of domestic vio-
6 lence, dating violence, sexual assault, and stalking,
7 including—

8 (A) an individual working for or on behalf
9 of an eligible entity;

10 (B) a school or university administrator;
11 and

12 (C) an emergency services or medical em-
13 ployee;

14 (3) the term “demonstration site”, with respect
15 to an eligible entity that receives a grant under this
16 section, means—

17 (A) if the eligible entity is a law enforce-
18 ment agency described in paragraph (4)(A), the
19 area over which the eligible entity has jurisdic-
20 tion; and

21 (B) if the eligible entity is an organization
22 or agency described in paragraph (4)(B), the
23 area over which a law enforcement agency de-
24 scribed in paragraph (4)(A) that is working in

1 collaboration with the eligible entity has juris-
2 diction; and

3 (4) the term “eligible entity” means—

4 (A) a State, local, territorial, or Tribal law
5 enforcement agency; or

6 (B) a national, regional, or local victim
7 services organization or agency working in col-
8 laboration with a law enforcement agency de-
9 scribed in subparagraph (A).

10 (b) GRANTS AUTHORIZED.—

11 (1) IN GENERAL.—The Attorney General shall
12 award grants on a competitive basis to eligible enti-
13 ties to carry out the demonstration program under
14 this section by implementing evidence-based or
15 promising policies and practices to incorporate trau-
16 ma-informed techniques designed to—

17 (A) prevent re-traumatization of the vic-
18 tim;

19 (B) ensure that covered individuals use evi-
20 dence-based practices to respond to and inves-
21 tigate cases of domestic violence, dating vio-
22 lence, sexual assault, and stalking;

23 (C) improve communication between vic-
24 tims and law enforcement officers in an effort
25 to increase the likelihood of the successful in-

1 investigation and prosecution of the reported
2 crime in a manner that protects the victim to
3 the greatest extent possible;

4 (D) increase collaboration among stake-
5 holders who are part of the coordinated commu-
6 nity response to domestic violence, dating vio-
7 lence, sexual assault, and stalking; and

8 (E) evaluate the effectiveness of the train-
9 ing process and content by measuring—

10 (i) investigative and prosecutorial
11 practices and outcomes; and

12 (ii) the well-being of victims and their
13 satisfaction with the criminal justice proc-
14 ess.

15 (2) TERM.—The Attorney General shall make
16 grants under this section for each of the first 2 fis-
17 cal years beginning after the date of enactment of
18 this Act.

19 (3) AWARD BASIS.—The Attorney General shall
20 award grants under this section to multiple eligible
21 entities for use in a variety of settings and commu-
22 nities, including—

23 (A) urban, suburban, Tribal, remote, and
24 rural areas;

25 (B) college campuses; or

1 (C) traditionally underserved communities.

2 (c) USE OF FUNDS.—An eligible entity that receives
3 a grant under this section shall use the grant to—

4 (1) train covered individuals within the dem-
5 onstration site of the eligible entity to use evidence-
6 based, trauma-informed techniques and knowledge of
7 crime victims' rights throughout an investigation
8 into domestic violence, dating violence, sexual as-
9 sult, or stalking, including by—

10 (A) conducting victim interviews in a man-
11 ner that—

12 (i) elicits valuable information about
13 the domestic violence, dating violence, sex-
14 ual assault, or stalking; and

15 (ii) avoids re-traumatization of the
16 victim;

17 (B) conducting field investigations that
18 mirror best and promising practices available at
19 the time of the investigation;

20 (C) customizing investigative approaches to
21 ensure a culturally and linguistically appro-
22 priate approach to the community being served;

23 (D) becoming proficient in understanding
24 and responding to complex cases, including

- 1 cases of domestic violence, dating violence, sex-
2 ual assault, or stalking—
- 3 (i) facilitated by alcohol or drugs;
 - 4 (ii) involving strangulation;
 - 5 (iii) committed by a non-stranger;
 - 6 (iv) committed by an individual of the
7 same sex as the victim;
 - 8 (v) involving a victim with a disability;
 - 9 (vi) involving a male victim; or
 - 10 (vii) involving a lesbian, gay, bisexual,
11 or transgender (commonly referred to as
12 “LGBT”) victim;
- 13 (E) developing collaborative relationships
14 between—
- 15 (i) law enforcement officers and other
16 members of the response team; and
 - 17 (ii) the community being served; and
- 18 (F) developing an understanding of how to
19 define, identify, and correctly classify a report
20 of domestic violence, dating violence, sexual as-
21 sault, or stalking; and
- 22 (2) promote the efforts of the eligible entity to
23 improve the response of covered individuals to do-
24 mestic violence, dating violence, sexual assault, and
25 stalking through various communication channels,

1 such as the website of the eligible entity, social
 2 media, print materials, and community meetings, in
 3 order to ensure that all covered individuals within
 4 the demonstration site of the eligible entity are
 5 aware of those efforts and included in trainings, to
 6 the extent practicable.

7 (d) DEMONSTRATION PROGRAM TRAININGS ON
 8 TRAUMA-INFORMED APPROACHES.—

9 (1) IDENTIFICATION OF EXISTING
 10 TRAININGS.—

11 (A) IN GENERAL.—The Attorney General
 12 shall identify trainings for law enforcement offi-
 13 cers, in existence as of the date on which the
 14 Attorney General begins to solicit applications
 15 for grants under this section, that—

16 (i) employ a trauma-informed ap-
 17 proach to domestic violence, dating vio-
 18 lence, sexual assault, and stalking; and

19 (ii) focus on the fundamentals of—

20 (I) trauma responses; and

21 (II) the impact of trauma on vic-
 22 tims of domestic violence, dating vio-
 23 lence, sexual assault, and stalking.

24 (B) SELECTION.—An eligible entity that
 25 receives a grant under this section shall select

1 one or more of the approaches employed by a
2 training identified under subparagraph (A) to
3 test within the demonstration site of the eligible
4 entity.

5 (2) CONSULTATION.—In carrying out para-
6 graph (1), the Attorney General shall consult with
7 the Director of the Office for Victims of Crime in
8 order to seek input from and cultivate consensus
9 among outside practitioners and other stakeholders
10 through facilitated discussions and focus groups on
11 best practices in the field of trauma-informed care
12 for victims of domestic violence, dating violence, sex-
13 ual assault, and stalking.

14 (e) EVALUATION.—The Attorney General, in con-
15 sultation with the Director of the National Institute of
16 Justice, shall require each eligible entity that receives a
17 grant under this section to identify a research partner,
18 preferably a local research partner, to—

19 (1) design a system for generating and col-
20 lecting the appropriate data to facilitate an inde-
21 pendent process or impact evaluation of the use of
22 the grant funds;

23 (2) periodically conduct an evaluation described
24 in paragraph (1); and

1 (3) periodically make publicly available, during
2 the grant period—

3 (A) preliminary results of the evaluations
4 conducted under paragraph (2); and

5 (B) recommendations for improving the
6 use of the grant funds.

7 (f) AUTHORIZATION OF APPROPRIATIONS.—The At-
8 torney General shall carry out this section using amounts
9 otherwise available to the Attorney General.

10 (g) RULE OF CONSTRUCTION.—Nothing in this Act
11 shall be construed to interfere with the due process rights
12 of any individual.

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