

File No. 190715

Committee Item No. _____

Board Item No. 59

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: June 25, 2019

Cmte Board

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
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| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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OTHER

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|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>House Resolution 1585</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Family Violence Report - FY2017</u> |
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Prepared by: Lisa Lew

Date: June 21, 2019

Prepared by: _____

Date: _____

1 [Supporting United State House of Representatives Bill 1585 - Violence Against Women
2 Reauthorization Act of 2019]

3 **Resolution supporting United State House of Representatives Bill 1585, the Violence**
4 **Against Women Reauthorization Act of 2019, a bipartisan bill to prevent domestic**
5 **violence, sexual assault, dating violence, and stalking and hold offenders accountable**
6 **that has passed out of the United States House of Representatives and awaits**
7 **consideration by the United States Senate.**

8
9 WHEREAS, Since 1994, the Violence Against Women Act (VAWA) has been one
10 of the cornerstones of America's response to domestic violence, sexual assault, dating
11 violence, and stalking; and, the San Francisco Family Violence Prevention Fund, under
12 the direction of its founder Esta Soler, was a driving force behind the 1994 legislation
13 that codified the first comprehensive federal response to violence against women that
14 reshaped the criminal justice system, required training for judges and law enforcement
15 personnel, and funded a national network of shelters and services; and,

16 WHEREAS, With strong bipartisan support, VAWA has been reauthorized three
17 times: in 2000, 2005, and 2013 and, yet, the 115th Congress allowed the Act to expire
18 in December 2018; and,

19 WHEREAS, United State House of Representatives Bill 1585 (H.R.1585), a new
20 bill for 2019 was introduced in the current 116th Congress with modest but meaningful
21 improvements to victim/survivor protections including the expansion of the definition of
22 domestic violence to include "economic abuse;" and, H.R. 1585 was passed in the U.S.
23 House of Representatives on April 4, 2019; and,

24 WHEREAS, Gender-based violence continues to be a major issue in San
25 Francisco; according to the most recent Family Violence in San Francisco Report (2017

1 data) released by the San Francisco Department on the Status of Women, there were
2 over 3,300 domestic violence cases reported to the San Francisco Police Department,
3 more than 17,000 shelter bed nights provided to victim/survivors, and over 22,000
4 domestic violence crisis calls to 911 and community-based service providers, any one
5 of which could have resulted in a fatality; and,

6 WHEREAS, The City and County of San Francisco has established itself as a
7 leader in ending gender-based violence by, for example, training over 400 first
8 responders on a victim-centered response and investing heavily in community-based
9 prevention and intervention services that led to the total elimination of domestic violence
10 homicides for nearly four years, between 2010-2014; however, since then, more than a
11 dozen San Franciscans have lost their lives to domestic violence, indicating a continued
12 need to expand services and outreach; and,

13 WHEREAS, To improve its response to domestic violence, sexual assault, dating
14 violence, and stalking, the City & County of San Francisco, local shelters, and service
15 providers have receive millions of dollars in grant funding from the U.S. Department of
16 Justice Office of Violence Against Women that administers the grants in compliance
17 with VAWA, including the Domestic Violence High-Risk Pilot Project currently operating
18 to immediately connect victim/survivors to life-saving services; and,

19 WHEREAS, On May 22, 2019, the San Francisco Commission on the Status of
20 Women voted to urge this body and the Mayor to support reauthorization of this critical
21 legislation; now, therefore be it

22 RESOLVED, That the San Francisco Board of Supervisors strongly supports the
23 Violence Against Women Reauthorization Act of 2019 and urges the U.S. Senate to
24 pass the legislation swiftly; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors urges United States
2 Senators Dianne Feinstein and Kamala Harris to continue to exercise their leadership in
3 ending violence against women by working with their colleagues in the Senate to pass
4 the legislation as soon as possible; and, be it

5 FURTHER RESOLVED, That in addition to sending a copy of this Resolution to
6 the offices of Senator Dianne Feinstein and Senator Kamala Harris, the Board of
7 Supervisors directs the Clerk of the Board to send a copy to the offices of San
8 Francisco representatives Speaker of the United States House of Representatives
9 Nancy Pelosi and Congresswoman Jackie Speier.

Calendar No. 66

116TH CONGRESS
1ST SESSION

H. R. 1585

IN THE SENATE OF THE UNITED STATES

APRIL 8, 2019

Received

APRIL 9, 2019

Read the first time

APRIL 10, 2019

Read the second time and placed on the calendar

AN ACT

To reauthorize the Violence Against Women Act of 1994,
and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Violence Against Women Reauthorization Act of 2019”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Universal definitions and grant conditions.

- Sec. 3. Reporting on female genital mutilation, female genital cutting, or female circumcision.
- Sec. 4. Agency and Department Coordination.

TITLE I—ENHANCING LEGAL TOOLS TO COMBAT DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 101. Stop grants.
- Sec. 102. Grants to improve the criminal justice response.
- Sec. 103. Legal assistance for victims.
- Sec. 104. Grants to support families in the justice system.
- Sec. 105. Outreach and services to underserved populations grants.
- Sec. 106. Criminal provisions.
- Sec. 107. Rape survivor child custody.
- Sec. 108. Enhancing culturally specific services for victims of domestic violence, dating violence, sexual assault, and stalking.
- Sec. 109. Grants for lethality assessment programs.

TITLE II—IMPROVING SERVICES FOR VICTIMS

- Sec. 201. Sexual assault services program.
- Sec. 202. Sexual Assault Services Program.
- Sec. 203. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance program.
- Sec. 204. Training and services to end violence against people with disabilities.
- Sec. 205. Training and services to end abuse in later life.
- Sec. 206. Demonstration program on trauma-informed training for law enforcement.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS

- Sec. 301. Rape prevention and education grant.
- Sec. 302. Creating hope through outreach, options, services, and education (CHOOSE) for children and youth.
- Sec. 303. Grants to combat violent crimes on campuses.
- Sec. 304. Combat online predators.

TITLE IV—VIOLENCE REDUCTION PRACTICES

- Sec. 401. Study conducted by the Centers for Disease Control and Prevention.
- Sec. 402. Saving Money and Reducing Tragedies (SMART) through Prevention grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEMS RESPONSE

- Sec. 501. Grants to strengthen the healthcare systems response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS

- Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
- Sec. 602. Ensuring compliance and implementation; prohibiting retaliation against victims.
- Sec. 603. Protecting the right to report crime from one's home.

- Sec. 604. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, or stalking.
- Sec. 605. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.
- Sec. 606. United States Housing Act of 1937 amendments.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS

- Sec. 701. Findings.
- Sec. 702. National Resource Center on workplace responses to assist victims of domestic and sexual violence.
- Sec. 703. Entitlement to unemployment compensation for victims of sexual and other harassment and survivors of domestic violence, sexual assault, or stalking.
- Sec. 704. Study and reports on barriers to survivors' economic security access.
- Sec. 705. GAO Study.
- Sec. 706. Education and information programs for survivors.
- Sec. 707. Severability.

TITLE VIII—HOMICIDE REDUCTION INITIATIVES

- Sec. 801. Prohibiting persons convicted of misdemeanor crimes against dating partners and persons subject to protection orders.
- Sec. 802. Prohibiting stalkers and individuals subject to court order from possessing a firearm.

TITLE IX—SAFETY FOR INDIAN WOMEN

- Sec. 901. Findings and purposes.
- Sec. 902. Authorizing funding for the tribal access program.
- Sec. 903. Tribal jurisdiction over crimes of domestic violence, dating violence, obstruction of justice, sexual violence, sex trafficking, stalking, and assault of a law enforcement officer or corrections officer.
- Sec. 904. Annual reporting requirements.
- Sec. 905. Report on the response of law enforcement agencies to reports of missing or murdered Indians.

TITLE X—OFFICE ON VIOLENCE AGAINST WOMEN

- Sec. 1001. Establishment of Office on Violence Against Women.
- Sec. 1002. Report of the Attorney General on the effects of the shutdown.

TITLE XI—IMPROVING CONDITIONS FOR WOMEN IN FEDERAL CUSTODY

- Sec. 1101. Improving the treatment of primary caretaker parents and other individuals in federal prisons.
- Sec. 1102. Public health and safety of women.
- Sec. 1103. Research and report on women in federal incarceration.
- Sec. 1104. Reentry planning and services for incarcerated women.

TITLE XII—LAW ENFORCEMENT TOOLS TO ENHANCE PUBLIC SAFETY

- Sec. 1201. Notification to law enforcement agencies of prohibited purchase or attempted purchase of a firearm.
- Sec. 1202. Reporting of background check denials to state, local, and tribal authorities.

Sec. 1203. Special assistant U.S. attorneys and cross-deputized attorneys.

TITLE XIII—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE

Sec. 1301. Short title.

Sec. 1302. Prohibition on engaging in sexual acts while acting under color of law.

Sec. 1303. Incentives for States.

Sec. 1304. Reports to Congress.

Sec. 1305. Definition.

TITLE XIV—OTHER MATTERS

Sec. 1401. National stalker and domestic violence reduction.

Sec. 1402. Federal victim assistants reauthorization.

Sec. 1403. Child abuse training programs for judicial personnel and practitioners reauthorization.

Sec. 1404. Sex offender management.

Sec. 1405. Court-appointed special advocate program.

Sec. 1406. Rape kit backlog.

Sec. 1407. Sexual assault forensic exam program grants.

Sec. 1408. Review on link between substance use and victims of domestic violence dating violence, sexual assault, or stalking.

Sec. 1409. Interagency working group to study Federal efforts to collect data on sexual violence.

Sec. 1410. National Domestic Violence Hotline.

Sec. 1411. Rule of construction regarding compliance with immigration laws.

TITLE XV—CYBERCRIME ENFORCEMENT

Sec. 1501. Local law enforcement grants for enforcement of cybercrimes.

Sec. 1502. National Resource Center Grant.

Sec. 1503. National strategy, classification, and reporting on cybercrime.

1 SEC. 2. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

2 Section 40002 of the Violence Against Women Act
3 of 1994 (34 U.S.C. 12291) is amended—

4 (1) in subsection (a)—

5 (A) by striking “In this title” and insert-
6 ing “In this title, including for the purpose of
7 grants authorized under this Act”;

8 (B) by redesignating paragraphs (34)
9 through (45) as paragraphs (42) through (53);

1 (C) by inserting after paragraph (33) the
2 following:

3 “(39) INTERNET ENABLED DEVICE.—The term
4 ‘internet enabled device’ means devices that have a
5 connection the Internet, send and receive informa-
6 tion and data, and maybe accessed via mobile device
7 technology, video technology, or computer tech-
8 nology, away from the location where the device is
9 installed, and may include home automation sys-
10 tems, door locks, and thermostats.

11 “(40) TECHNOLOGICAL ABUSE.—The term
12 ‘technological abuse’ means behavior intended to
13 harm, threaten, intimidate, control, stalk, harass,
14 impersonate, or monitor, except as otherwise per-
15 mitted by law, another person, that occurs using the
16 Internet, internet enabled devices, social networking
17 sites, computers, mobile devices, cellular telephones,
18 apps, location tracking devices, instant messages,
19 text messages, or other forms of technology. Techno-
20 logical abuse may include—

21 “(A) unwanted, repeated telephone calls,
22 text messages, instant messages, or social
23 media posts;

24 “(B) non-consensual accessing e-mail ac-
25 counts, texts or instant messaging accounts, so-

1 cial networking accounts, or cellular telephone
2 logs;

3 “(C) controlling or restricting a person’s
4 ability to access technology with the intent to
5 isolate them from support and social connec-
6 tion;

7 “(D) using tracking devices or location
8 tracking software for the purpose of monitoring
9 or stalking another person’s location;

10 “(E) impersonating a person (including
11 through the use of spoofing technology in photo
12 or video or the creation of accounts under a
13 false name) with the intent to deceive or cause
14 harm; or

15 “(F) sharing or urging or compelling the
16 sharing of another person’s private information,
17 photographs, or videos without their consent.

18 “(41) FEMALE GENITAL MUTILATION.—The
19 terms ‘female genital mutilation’, ‘female genital
20 cutting’, ‘FGM/C’, or ‘female circumcision’ mean the
21 intentional removal or infibulation (or both) of either
22 the whole or part of the external female genitalia for
23 non-medical reasons. External female genitalia in-
24 cludes the pubis, labia minora, labia majora, clitoris,
25 and urethral and vaginal openings.”;

1 (D) in paragraph (19)(B), by striking
2 “and probation” and inserting “probation, and
3 vacatur or expungement”;

4 (E) by redesignating paragraphs (13)
5 through (33) as paragraphs (18) through (38);

6 (F) by striking paragraphs (11) and (12)
7 and inserting the following:

8 “(13) DIGITAL SERVICES.—The term ‘digital
9 services’ means services, resources, information, sup-
10 port or referrals provided through electronic commu-
11 nications platforms and media, whether via mobile
12 device technology, video technology, or computer
13 technology, including utilizing the internet, as well
14 as any other emerging communications technologies
15 that are appropriate for the purposes of providing
16 services, resources, information, support, or referrals
17 for the benefit of victims of domestic violence, dating
18 violence, sexual assault, or stalking.

19 “(14) ECONOMIC ABUSE.—The term ‘economic
20 abuse’, in the context of domestic violence, dating vi-
21 olence, and abuse in later life, means behavior that
22 is coercive, deceptive, or unreasonably controls or re-
23 strains a person’s ability to acquire, use, or maintain
24 economic resources to which they are entitled, in-
25 cluding using coercion, fraud, or manipulation to—

1 “(A) restrict a person’s access to money,
2 assets, credit, or financial information;

3 “(B) unfairly use a person’s personal eco-
4 nomic resources, including money, assets, and
5 credit, for one’s own advantage; or

6 “(C) exert undue influence over a person’s
7 financial and economic behavior or decisions,
8 including forcing default on joint or other fi-
9 nancial obligations, exploiting powers of attor-
10 ney, guardianship, or conservatorship, or failing
11 or neglecting to act in the best interests of a
12 person to whom one has a fiduciary duty.

13 “(15) ELDER ABUSE.—The term ‘elder abuse’
14 has the meaning given that term in section 2 of the
15 Elder Abuse Prevention and Prosecution Act. The
16 terms ‘abuse,’ ‘elder,’ and ‘exploitation’ have the
17 meanings given those terms in section 2011 of the
18 Social Security Act (42 U.S.C. 1397j).

19 “(16) FORCED MARRIAGE.—The term ‘forced
20 marriage’ means a marriage to which one or both
21 parties do not or cannot consent, and in which one
22 or more elements of force, fraud, or coercion is
23 present. Forced marriage can be both a cause and
24 a consequence of domestic violence, dating violence,
25 sexual assault or stalking.

1 “(17) HOMELESS.—The term ‘homeless’ has
2 the meaning given such term in section 41403(6).”;

3 (G) by redesignating paragraphs (9) and
4 (10) as paragraphs (11) and (12), respectively;

5 (H) by amending paragraph (8) to read as
6 follows:

7 “(10) DOMESTIC VIOLENCE.—The term ‘domes-
8 tic violence’ means a pattern of behavior involving
9 the use or attempted use of physical, sexual, verbal,
10 emotional, economic, or technological abuse or any
11 other coercive behavior committed, enabled, or solici-
12 ited to gain or maintain power and control over a
13 victim, by a person who—

14 “(A) is a current or former spouse or dat-
15 ing partner of the victim, or other person simi-
16 larly situated to a spouse of the victim under
17 the family or domestic violence laws of the ju-
18 risdiction;

19 “(B) is cohabitating with or has
20 cohabitated with the victim as a spouse or dat-
21 ing partner, or other person similarly situated
22 to a spouse of the victim under the family or
23 domestic violence laws of the jurisdiction;

24 “(C) shares a child in common with the
25 victim;

1 “(D) is an adult family member of, or paid
2 or nonpaid caregiver for, a victim aged 50 or
3 older or an adult victim with disabilities; or

4 “(E) commits acts against a youth or adult
5 victim who is protected from those acts under
6 the family or domestic violence laws of the ju-
7 risdiction.”;

8 (I) by redesignating paragraphs (6) and
9 (7) as paragraphs (8) and (9), respectively;

10 (J) by amending paragraph (5) to read as
11 follows:

12 “(7) COURT-BASED AND COURT-RELATED PER-
13 SONNEL.—The terms ‘court-based personnel’ and
14 ‘court-related personnel’ mean persons working in
15 the court, whether paid or volunteer, including—

16 “(A) clerks, special masters, domestic rela-
17 tions officers, administrators, mediators, cus-
18 tody evaluators, guardians ad litem, lawyers,
19 negotiators, probation, parole, interpreters, vic-
20 tim assistants, victim advocates, and judicial,
21 administrative, or any other professionals or
22 personnel similarly involved in the legal process;

23 “(B) court security personnel;

1 “(C) personnel working in related, supple-
2 mentary offices or programs (such as child sup-
3 port enforcement); and

4 “(D) any other court-based or community-
5 based personnel having responsibilities or au-
6 thority to address domestic violence, dating vio-
7 lence, sexual assault, or stalking in the court
8 system.”;

9 (K) by redesignating paragraphs (2)
10 through (4) as paragraphs (4) through (6) re-
11 spectively;

12 (L) by inserting after paragraph (1) the
13 following:

14 “(3) ALTERNATIVE JUSTICE RESPONSE.—The
15 term ‘alternative justice response’ means a process,
16 whether court-ordered or community-based, that—

17 “(A) involves, on a voluntary basis, and to
18 the extent possible, those who have committed
19 a specific offense and those who have been
20 harmed as a result of the offense;

21 “(B) has the goal of collectively seeking ac-
22 countability from the accused, and developing a
23 process whereby the accused will take responsi-
24 bility for his or her actions, and a plan for pro-
25 viding relief to those harmed, through allocu-

1 tion, restitution, community service, or other
2 processes upon which the victim, the accused,
3 the community, and the court (if court-ordered)
4 can agree;

5 “(C) is conducted in a framework that pro-
6 tects victim safety and supports victim auton-
7 omy; and

8 “(D) provides that information disclosed
9 during such process may not be used for any
10 other law enforcement purpose, including im-
11 peachment or prosecution, without the express
12 permission of all participants.”;

13 (M) by redesignating paragraph (1) as
14 paragraph (2); and

15 (N) by inserting before paragraph (2) (as
16 redesignated in subparagraph (M) of this para-
17 graph) the following:

18 “(1) ABUSE IN LATER LIFE.—The term ‘abuse
19 in later life’ means neglect, abandonment, domestic
20 violence, dating violence, sexual assault, or stalking
21 of an adult over the age of 50 by any person, or eco-
22 nomic abuse of that adult by a person in an ongoing,
23 relationship of trust with the victim. Self-neglect is
24 not included in this definition.”;

25 (2) in subsection (b)—

1 (A) in paragraph (2)—

2 (i) by redesignating subparagraphs
3 (F) and (G) as subparagraphs (H) and (I);

4 (ii) by inserting after subparagraph
5 (E) the following:

6 “(G) DEATH OF THE PARTY WHOSE PRI-
7 VACY HAD BEEN PROTECTED.—In the event of
8 the death of any victim whose confidentiality
9 and privacy is required to be protected under
10 this subsection, such requirement shall continue
11 to apply, and the right to authorize release of
12 any confidential or protected information be
13 vested in the next of kin, except that consent
14 for release of the deceased victim’s information
15 may not be given by a person who had per-
16 petrated abuse against the deceased victim.”;

17 (iii) by redesignating subparagraphs
18 (D) through (E) as subparagraphs (E)
19 through (F); and

20 (iv) by inserting after subparagraph
21 (C) the following:

22 “(D) USE OF TECHNOLOGY.—Grantees
23 and subgrantees may use telephone, internet,
24 and other technologies to protect the privacy,

1 location and help-seeking activities of victims
2 using services. Such technologies may include—

3 “(i) software, apps or hardware that
4 block caller ID or conceal IP addresses, in-
5 cluding instances in which victims use dig-
6 ital services; or

7 “(ii) technologies or protocols that in-
8 hibit or prevent a perpetrator’s attempts to
9 use technology or social media to threaten,
10 harass or harm the victim, the victim’s
11 family, friends, neighbors or co-workers, or
12 the program providing services to them.”;

13 (B) in paragraph (3), by inserting after
14 “designed to reduce or eliminate domestic vio-
15 lence, dating violence, sexual assault, and stalk-
16 ing” the following: “provided that the confiden-
17 tiality and privacy requirements of this title are
18 maintained, and that personally identifying in-
19 formation about adult, youth, and child victims
20 of domestic violence, dating violence, sexual as-
21 sault and stalking is not requested or included
22 in any such collaboration or information-shar-
23 ing”;

24 (C) in paragraph (6), by adding at the end
25 the following: “However, such disbursing agen-

1 cies must ensure that the confidentiality and
2 privacy requirements of this title are main-
3 tained in making such reports, and that person-
4 ally identifying information about adult, youth
5 and child victims of domestic violence, dating
6 violence, sexual assault and stalking is not re-
7 quested or included in any such reports.”;

8 (D) in paragraph (11), by adding at the
9 end the following: “The Office on Violence
10 Against Women shall make all technical assist-
11 ance available as broadly as possible to any ap-
12 propriate grantees, subgrantees, potential
13 grantees, or other entities without regard to
14 whether the entity has received funding from
15 the Office on Violence Against Women for a
16 particular program or project.”;

17 (E) in paragraph (13)—

18 (i) in subparagraph (A), by inserting
19 after “the Violence Against Women Reau-
20 thorization Act of 2013” the following:
21 “(Public Law 113-4; 127 Stat. 54)”;

22 (ii) in subparagraph (C), by striking
23 “section 3789d of title 42, United States
24 Code” and inserting “section 809 of title I

1 of the Omnibus Crime Control and Safe
2 Streets Act of 1968 (34 U.S.C. 10228)";

3 (F) in paragraph (14), by inserting after
4 "are also victims of" the following: "forced
5 marriage, or"; and

6 (G) in paragraph (16)—

7 (i) in subparagraph (C)(i), by striking
8 "\$20,000 in Department funds, unless the
9 Deputy Attorney General" and inserting
10 "\$100,000 in Department funds, unless
11 the Director or Principal Deputy Director
12 of the Office on Violence Against Women,
13 the Deputy Attorney General,"; and

14 (ii) by adding at the end the fol-
15 lowing:

16 "(E) INELIGIBILITY.—If the Attorney
17 General finds that a recipient of grant funds
18 under this Act has fraudulently misused such
19 grant funds, after reasonable notice and oppor-
20 tunity for a hearing, such recipient shall not be
21 eligible to receive grant funds under this Act
22 for up to 5 years. A misuse of grant funds or
23 an error that does not rise to the level of fraud
24 is not grounds for ineligibility."; and

25 (3) by adding at the end the following:

1 “(c) **RULE OF CONSTRUCTION.**—For purposes of this
2 Act, nothing may be construed to preclude the term ‘do-
3 mestic violence’ from including economic abuse each place
4 the term ‘domestic violence’ occurs unless doing so would
5 trigger an extension of effective date under section
6 703(f)(1)(B) of the Violence Against Women Reauthoriza-
7 tion Act of 2019.”.

8 **SEC. 3. REPORTING ON FEMALE GENITAL MUTILATION, FE-**
9 **MALE GENITAL CUTTING, OR FEMALE CIR-**
10 **CUMCISION.**

11 (a) **IN GENERAL.**—The Director of the Federal Bu-
12 reau of Investigation shall, pursuant to section 534 of title
13 28, United States Code, classify the offense of female gen-
14 ital mutilation, female genital cutting, or female circumci-
15 sion as a part II crime in the Uniform Crime Reports.

16 (b) **DEFINITION.**—In this section, the terms “female
17 genital mutilation”, “female genital cutting”, “FGM/C”,
18 or “female circumcision” mean the intentional removal or
19 infibulation (or both) of either the whole or part of the
20 external female genitalia for non-medical reasons. Exter-
21 nal female genitalia includes the pubis, labia minora, labia
22 majora, clitoris, and urethral and vaginal openings.

23 **SEC. 4. AGENCY AND DEPARTMENT COORDINATION.**

24 The heads of Executive Departments responsible for
25 carrying out this Act are authorized to coordinate and col-

1 laborate on the prevention of domestic violence, dating vio-
2 lence, sexual assault, and stalking, including sharing best
3 practices and efficient use of resources and technology for
4 victims and those seeking assistance from the Govern-
5 ment.

6 **TITLE I—ENHANCING LEGAL**
7 **TOOLS TO COMBAT DOMES-**
8 **TIC VIOLENCE, DATING VIO-**
9 **LENCE, SEXUAL ASSAULT,**
10 **AND STALKING**

11 **SEC. 101. STOP GRANTS.**

12 (a) IN GENERAL.—Part T of title I of the Omnibus
13 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
14 10441 et seq.) is amended—

15 (1) in section 2001(b)—

16 (A) in paragraph (3), by inserting before
17 the semicolon at the end the following: “includ-
18 ing implementation of the non-discrimination
19 requirements in section 40002(b)(13) of the Vi-
20 olence Against Women Act of 1994”;

21 (B) in paragraph (9)—

22 (i) by striking “older and disabled
23 women” and inserting “people 50 years of
24 age or over and people with disabilities”;
25 and

1 (ii) by striking “older and disabled in-
2 dividuals” and inserting “people”;

3 (C) in paragraph (19), by striking “and”
4 at the end;

5 (D) in paragraph (20), by striking the pe-
6 riod at the end and inserting a semicolon; and

7 (E) by inserting after paragraph (20), the
8 following:

9 “(21) developing and implementing laws, poli-
10 cies, procedures, or training to ensure the lawful re-
11 covery and storage of any dangerous weapon by the
12 appropriate law enforcement agency from an adju-
13 dicated perpetrator of any offense of domestic vio-
14 lence, dating violence, sexual assault, or stalking,
15 and the return of such weapon when appropriate,
16 where any Federal, State, tribal, or local court
17 has—

18 “(A)(i) issued protective or other restrain-
19 ing orders against such a perpetrator; or

20 “(ii) found such a perpetrator to be guilty
21 of misdemeanor or felony crimes of domestic vi-
22 olence, dating violence, sexual assault, or stalk-
23 ing; and

24 “(B) ordered the perpetrator to relinquish
25 dangerous weapons that the perpetrator pos-

1 sesses or has used in the commission of at least
2 one of the aforementioned crimes;

3 Policies, procedures, protocols, laws, regulations, or
4 training under this section shall include the safest
5 means of recovery of, and best practices for storage
6 of, relinquished and recovered dangerous weapons
7 and their return, when applicable, at such time as
8 the individual is no longer prohibited from pos-
9 sessing such weapons under Federal, State, or Trib-
10 al law, or posted local ordinances;

11 “(22) developing, enlarging, or strengthening
12 culturally specific victim services programs to pro-
13 vide culturally specific victim services regarding, re-
14 sponses to, and prevention of female genital mutila-
15 tion, female genital cutting, or female circumcision;

16 “(23) providing victim advocates in State or
17 local law enforcement agencies, prosecutors’ offices,
18 and courts and providing supportive services and ad-
19 vocacy to urban American Indian and Alaska Native
20 victims of domestic violence, dating violence, sexual
21 assault, and stalking.”;

22 (2) in section 2007—

23 (A) in subsection (d)—

1 (i) by redesignating paragraphs (5)
2 and (6) as paragraphs (7) and (8), respec-
3 tively; and

4 (ii) by inserting after paragraph (4)
5 the following:

6 “(5) proof of compliance with the requirements
7 regarding protocols to strongly discourage compel-
8 ling victim testimony, described in section 2017;

9 “(6) proof of compliance with the requirements
10 regarding civil rights under section 40002(b)(13) of
11 the Violent Crime Control and Law Enforcement
12 Act of 1994;”;

13 (B) in subsection (i)—

14 (i) in paragraph (1), by inserting be-
15 fore the semicolon at the end the following:

16 “and the requirements under section
17 40002(b) of the Violent Crime Control and
18 Law Enforcement Act of 1994 (34 U.S.C.
19 12291(b))”; and

20 (ii) in paragraph (2)(C)(iv), by insert-
21 ing after “ethnicity,” the following: “sexual
22 orientation, gender identity;” and

23 (C) by adding at the end the following:

24 “(k) REVIEWS FOR COMPLIANCE WITH NON-
25 DISCRIMINATION REQUIREMENTS.—

1 “(1) IN GENERAL.—If allegations of discrimina-
2 tion in violation of section 40002(b)(13)(A) of the
3 Violence Against Women Act of 1994 (34 U.S.C.
4 12291(b)(13)(A)) by a potential grantee under this
5 part have been made to the Attorney General, the
6 Attorney General shall, prior to awarding a grant
7 under this part to such potential grantee, conduct a
8 review of the compliance of the potential grantee
9 with such section.

10 “(2) ESTABLISHMENT OF RULE.—Not later
11 than 1 year after the date of enactment of the Vio-
12 lence Against Women Reauthorization Act of 2019,
13 the Attorney General shall by rule establish proce-
14 dures for such a review.

15 “(3) ANNUAL REPORT.—Beginning on the date
16 that is 1 year after the date of enactment of the Vio-
17 lence Against Women Reauthorization Act of 2019,
18 the Attorney General shall report to the Committees
19 on the Judiciary of the Senate and of the House of
20 Representatives regarding compliance with section
21 40002(b)(13)(A) of the Violence Against Women Act
22 of 1994 (34 U.S.C. 12291(b)(13)(A)) by recipients
23 of grants under this part.”; and

24 (3) by adding at the end the following:

1 **“SEC. 2017. GRANT ELIGIBILITY REGARDING COMPELLING**
2 **VICTIM TESTIMONY.**

3 “In order to be eligible for a grant under this part,
4 a State, Indian tribal government, territorial government,
5 or unit of local government shall certify that, not later
6 than 3 years after the date of enactment of this section,
7 their laws, policies, or practices will include a detailed pro-
8 tocol to discourage the use of bench warrants, material
9 witness warrants, perjury charges, or other means of com-
10 pelling victim-witness testimony in the investigation, pros-
11 ecution, trial, or sentencing of a crime related to the do-
12 mestic violence, sexual assault, dating violence or stalking
13 of the victim.”.

14 (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section
15 1001(a)(18) of the Omnibus Crime Control and Safe
16 Streets Act of 1968 (34 U.S.C. 10261(a)(18)) is amended
17 by striking “2014 through 2018” and inserting “2020
18 through 2024”.

19 **SEC. 102. GRANTS TO IMPROVE THE CRIMINAL JUSTICE RE-**
20 **SPONSE.**

21 (a) **HEADING.**—Part U of title I of the Omnibus
22 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
23 10461 et seq.) is amended in the heading, by striking
24 **“GRANTS TO ENCOURAGE ARREST POLICIES”** and in-
25 serting **“GRANTS TO IMPROVE THE CRIMINAL JUS-**
26 **TICE RESPONSE”**.

1 (b) GRANTS.—Section 2101 of the Omnibus Crime
2 Control and Safe Streets Act of 1968 (34 U.S.C. 10461)
3 is amended—

4 (1) by striking subsection (a) and inserting the
5 following:

6 “(a) GENERAL PROGRAM PURPOSE.—The purpose of
7 this part is to assist States, State and local courts (includ-
8 ing juvenile courts), Indian tribal governments, tribal
9 courts, and units of local government to develop and
10 strengthen effective law enforcement and prosecution
11 strategies to combat violent crimes against women, and
12 to develop and strengthen victim services in cases involv-
13 ing violent crimes against women.”;

14 (2) in subsection (b)—

15 (A) in paragraph (1), by striking
16 “proarrest” and inserting “offender account-
17 ability and homicide reduction”;

18 (B) in paragraph (8)—

19 (i) by striking “older individuals (as
20 defined in section 102 of the Older Ameri-
21 cans Act of 1965 (42 U.S.C. 3002))” and
22 inserting “people 50 years of age or over”;
23 and

24 (ii) by striking “individuals with dis-
25 abilities (as defined in section 3(2) of the

1 Americans with Disabilities Act of 1990
2 (42 U.S.C. 12102(2)))” and inserting
3 “people with disabilities (as defined in the
4 Americans with Disabilities Act of 1990
5 (42 U.S.C. 12102))”;

6 (C) in paragraph (19), by inserting before
7 the period at the end the following “, including
8 victims among underserved populations (as de-
9 fined in section 40002(a)(46) of the Violence
10 Against Women Act of 1994)”;

11 (D) by adding at the end the following:

12 “(23) To develop and implement an alternative
13 justice response (as such term is defined in section
14 40002(a) of the Violence Against Women Act of
15 1994):

16 “(24) To develop and implement policies, proce-
17 dures, protocols, laws, regulations, or training to en-
18 sure the lawful recovery and storage of any dan-
19 gerous weapon by the appropriate law enforcement
20 agency from an adjudicated perpetrator of any of-
21 fense of domestic violence, dating violence, sexual as-
22 sault, or stalking, and the return of such weapon
23 when appropriate, where any Federal, State, tribal,
24 or local court has—

1 “(A)(i) issued protective or other restrain-
2 ing orders against such a perpetrator; or

3 “(ii) found such a perpetrator to be guilty
4 of misdemeanor or felony crimes of domestic vi-
5 olence, dating violence, sexual assault, or stalk-
6 ing; and

7 “(B) ordered the perpetrator to relinquish
8 dangerous weapons that the perpetrator pos-
9 sesses or has used in the commission of at least
10 one of the aforementioned crimes.

11 Policies, procedures, protocols, laws, regulations, or
12 training under this section shall include the safest
13 means of recovery of and best practices for storage
14 of relinquished and recovered dangerous weapons
15 and their return, when applicable, at such time as
16 the persons are no longer prohibited from possessing
17 such weapons under Federal, State, Tribal or munic-
18 ipal law.”; and

19 (3) in subsection (c)(1)—

20 (A) in subparagraph (A)—

21 (i) in clause (i), by striking “encour-
22 age or mandate arrests of domestic vio-
23 lence offenders” and inserting “encourage
24 arrests of offenders”; and

1 (ii) in clause (ii), by striking “encour-
2 age or mandate arrest of domestic violence
3 offenders” and inserting “encourage arrest
4 of offenders”; and

5 (B) by inserting after subparagraph (E)
6 the following:

7 “(F) certify that, not later than 3 years
8 after the date of the enactment of this subpara-
9 graph, their laws, policies, or practices will in-
10 clude a detailed protocol to strongly discourage
11 the use of bench warrants, material witness
12 warrants, perjury charges, or other means of
13 compelling victim-witness testimony in the in-
14 vestigation, prosecution, trial, or sentencing of
15 a crime related to the domestic violence, sexual
16 assault, dating violence or stalking of the vic-
17 tim; and”.

18 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
19 1001(a)(19) of the Omnibus Crime Control and Safe
20 Streets Act of 1968 (34 U.S.C. 10261(a)(19)) is amended
21 by striking “2014 through 2018” and inserting “2020
22 through 2024”.

1 **SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.**

2 (a) **IN GENERAL.**—Section 1201 of division B of the
3 Victims of Trafficking and Violence Protection Act of
4 2000 (34 U.S.C. 20121) is amended—

5 (1) in subsection (a), by inserting after “no cost
6 to the victims.” the following: “When legal assist-
7 ance to a dependent is necessary for the safety of a
8 victim, such assistance may be provided.”;

9 (2) in subsection (c)—

10 (A) in paragraph (1), by inserting after
11 “stalking, and sexual assault” the following: “,
12 or for dependents when necessary for the safety
13 of a victim”;

14 (B) in paragraph (2), by inserting after
15 “stalking, and sexual assault” the following: “,
16 or for dependents when necessary for the safety
17 of a victim,”; and

18 (C) in paragraph (3), by inserting after
19 “sexual assault, or stalking” the following: “, or
20 for dependents when necessary for the safety of
21 a victim,”; and

22 (3) in subsection (f)(1), by striking “2014
23 through 2018” and inserting “2020 through 2024”.

24 (b) **GAO REPORT.**—Not later than 1 year after the
25 date of enactment of this Act, the Comptroller General
26 of the United States shall submit to Congress a report

1 on the return on investment for legal assistance grants
2 awarded pursuant to section 1201 of division B of the Vic-
3 tims of Trafficking and Violence Protection Act of 2000
4 (34 U.S.C. 20121), including an accounting of the amount
5 saved, if any, on housing, medical, or employment social
6 welfare programs.

7 **SEC. 104. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE**
8 **SYSTEM.**

9 Section 1301 of division B of the Victims of Traf-
10 ficking and Violence Protection Act of 2000 (34 U.S.C.
11 12464) is amended—

12 (1) in subsection (b)—

13 (A) in paragraph (7), by striking “and” at
14 the end;

15 (B) in paragraph (8)—

16 (i) by striking “to improve” and in-
17 serting “improve”; and

18 (ii) by striking the period at the end
19 and inserting “; and”; and

20 (C) by inserting after paragraph (8) the
21 following:

22 “(9) develop and implement an alternative jus-
23 tice response (as such term is defined in section
24 40002(a) of the Violence Against Women Act of
25 1994).”; and

1 (A) by striking “restraining order or in-
2 junction,”; and

3 (B) by adding at the end the following:
4 “The prohibition under this paragraph applies
5 to all protection orders for the protection of a
6 person residing within a State, territorial, or
7 tribal jurisdiction, whether or not the protection
8 order was issued by that State, territory, or
9 Tribe.”; and

10 (2) in subsection (e), by adding at the end the
11 following: “This applies to all Alaska tribes without
12 respect to ‘Indian country’ or the population of the
13 Native village associated with the Tribe.”.

14 **SEC. 107. RAPE SURVIVOR CHILD CUSTODY.**

15 Section 409 of the Justice for Victims of Trafficking
16 Act of 2015 (34 U.S.C. 21308) is amended by striking
17 “2015 through 2019” and inserting “2020 through
18 2024”.

19 **SEC. 108. ENHANCING CULTURALLY SPECIFIC SERVICES
20 FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-
21 ING VIOLENCE, SEXUAL ASSAULT, AND
22 STALKING.**

23 Section 121(a) of the Violence Against Women and
24 Department of Justice Reauthorization Act of 2005 (34

1 U.S.C. 20124(a)) is amended by adding at the end the
2 following:

3 “(3) ADDITIONAL AUTHORIZATION OF APPRO-
4 PRIATIONS.—In addition to the amounts made avail-
5 able under paragraph (1), there are authorized to be
6 appropriated to carry out this section \$2,000,000 for
7 each of fiscal years 2020 through 2024.”.

8 **SEC. 109. GRANTS FOR LETHALITY ASSESSMENT PRO-**
9 **GRAMS.**

10 (a) IN GENERAL.—The Attorney General may make
11 grants to States, units of local government, Indian tribes,
12 domestic violence victim service providers, and State or
13 Tribal Domestic Violence Coalitions for technical assist-
14 ance and training in the operation or establishment of a
15 lethality assessment program.

16 (b) DEFINITION.—In this section, the term “lethality
17 assessment program” means a program that—

18 (1) rapidly connects a victim of domestic vio-
19 lence to local community-based victim service pro-
20 viders;

21 (2) helps first responders and others in the jus-
22 tice system, including courts, law enforcement agen-
23 cies, and prosecutors of tribal government and units
24 of local government, identify and respond to possibly
25 lethal circumstances; and

1 (3) identifies victims of domestic violence who
 2 are at high risk of being seriously injured or killed
 3 by an intimate partner.

4 (c) QUALIFICATIONS.—To be eligible for a grant
 5 under this section, an applicant shall demonstrate experi-
 6 ence in developing, implementing, evaluating, and dissemi-
 7 nating a lethality assessment program.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—There
 9 are authorized to be appropriated \$5,000,000 to carry out
 10 this section for each of fiscal years 2020 through 2024.

11 (e) DEFINITIONS.—Terms used in this section have
 12 the meanings given such terms in section 40002 of the
 13 Violence Against Women Act of 1994.

14 **TITLE II—IMPROVING SERVICES**
 15 **FOR VICTIMS**

16 **SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.**

17 Section 41601 of the Violent Crime Control and Law
 18 Enforcement Act of 1994 (34 U.S.C. 12511) is amend-
 19 ed—

20 (1) in subsection (b)(4), by striking “0.25 per-
 21 cent” and inserting “0.5 percent”; and

22 (2) in subsection (f)(1), by striking “2014
 23 through 2018” and inserting “2020 through 2024”.

1 **SEC. 202. SEXUAL ASSAULT SERVICES PROGRAM.**

2 Section 41601(f)(1) of the Violent Crime Control and
 3 Law Enforcement Act of 1994 (34 U.S.C. 12511(f)(1))
 4 is amended by striking “\$40,000,000 to remain available
 5 until expended for each of fiscal years 2014 through
 6 2018” and inserting “\$60,000,000 to remain available
 7 until expended for each of fiscal years 2020 through
 8 2024”.

9 **SEC. 203. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE,**
 10 **SEXUAL ASSAULT, STALKING, AND CHILD**
 11 **ABUSE ENFORCEMENT ASSISTANCE PRO-**
 12 **GRAM.**

13 Section 40295 of the Violent Crime Control and Law
 14 Enforcement Act of 1994 (34 U.S.C. 12341) is amend-
 15 ed—

16 (1) in subsection (a)(3), by striking “women”
 17 and inserting “adults, youth,”; and

18 (2) in subsection (e)(1), by striking “2014
 19 through 2018” and inserting “2020 through 2024”.

20 **SEC. 204. TRAINING AND SERVICES TO END VIOLENCE**
 21 **AGAINST PEOPLE WITH DISABILITIES.**

22 Section 1402 of division B of the Victims of Traf-
 23 ficking and Violence Protection Act of 2000 (34 U.S.C.
 24 20122) is amended—

25 (1) in the heading, by striking “**WOMEN**” and
 26 inserting “**PEOPLE**”;

1 (2) in subsection (a), by striking “individuals”
2 each place it appears and inserting “people”;

3 (3) in subsection (b)—

4 (A) by striking “disabled individuals” each
5 place it appears and inserting “people with dis-
6 abilities”;

7 (B) in paragraph (3), by inserting after
8 “law enforcement” the following: “and other
9 first responders”; and

10 (C) in paragraph (8), by striking “pro-
11 viding advocacy and intervention services with-
12 in” and inserting “to enhance the capacity of”;

13 (4) in subsection (e), by striking “disabled indi-
14 viduals” and inserting “people with disabilities”; and

15 (5) in subsection (e), by striking “2014 through
16 2018” and inserting “2020 through 2024”.

17 **SEC. 205. TRAINING AND SERVICES TO END ABUSE IN**
18 **LATER LIFE.**

19 Section 40801 of the Violent Crime Control and Law
20 Enforcement Act of 1994 (34 U.S.C. 12421)—

21 (1) in the heading, by striking “**ENHANCED**
22 **TRAINING**” and inserting “**TRAINING**”;

23 (2) by striking subsection “(a) **DEFINITIONS.—**
24 **In this section—**” and all that follows through para-
25 graph (1) of subsection (b) and inserting the fol-

1 lowing: “The Attorney General shall make grants to
2 eligible entities in accordance with the following:”;

3 (3) by redesignating paragraphs (2) through
4 (5) of subsection (b) as paragraphs (1) through (4);

5 (4) in paragraph (1) (as redesignated by para-
6 graph (3) of this subsection)—

7 (A) by striking “, including domestic vio-
8 lence, dating violence, sexual assault, stalking,
9 exploitation, and neglect” each place it appears;

10 (B) in subparagraph (A)—

11 (i) in clause (i), by inserting after
12 “elder abuse” the following: “and abuse in
13 later life”;

14 (ii) in clauses (ii) and (iii), by insert-
15 ing after “victims of” the following: “elder
16 abuse and”; and

17 (iii) in clause (iv), by striking “advo-
18 cates, victim service providers, and courts
19 to better serve victims of abuse in later
20 life” and inserting “leaders, victim advo-
21 cates, victim service providers, courts, and
22 first responders to better serve older vic-
23 tims”;

24 (C) in subparagraph (B)—

1 (i) in clause (i), by striking “or other
2 community-based organizations in recog-
3 nizing and addressing instances of abuse in
4 later life” and inserting “community-based
5 organizations, or other professionals who
6 may identify or respond to abuse in later
7 life”; and

8 (ii) in clause (ii), by inserting after
9 “victims of” the following: “elder abuse
10 and”; and

11 (D) in subparagraph (D), by striking “sub-
12 paragraph (B)(ii)” and inserting “paragraph
13 (2)(B)”;

14 (5) in paragraph (2) (as redesignated by para-
15 graph (3))—

16 (A) in subparagraph (A), by striking “over
17 50 years of age” and inserting “50 years of age
18 or over”; and

19 (B) in subparagraph (B), by striking “in
20 later life” and inserting “50 years of age or
21 over”; and

22 (6) in paragraph (4) (as redesignated by para-
23 graph (3)), by striking “2014 through 2018” and
24 inserting “2020 through 2024”.

1 SEC. 206. DEMONSTRATION PROGRAM ON TRAUMA-IN-
2 FORMED TRAINING FOR LAW ENFORCEMENT.

3 Title IV of the Violent Crime Control and Law En-
4 forcement Act of 1994 (34 U.S.C. 10101 note) is amended
5 by adding at the end the following:

6 **“Subtitle Q—Trauma-informed**
7 **Training for Law Enforcement**

8 **“SEC. 41701. DEMONSTRATION PROGRAM ON TRAUMA-IN-**
9 **FORMED TRAINING FOR LAW ENFORCEMENT.**

10 **“(a) DEFINITIONS.—**In this section—

11 **“(1)** the term ‘Attorney General’ means the At-
12 torney General, acting through the Director of the
13 Office on Violence Against Women;

14 **“(2)** the term ‘covered individual’ means an in-
15 dividual who interfaces with victims of domestic vio-
16 lence, dating violence, sexual assault, and stalking,
17 including—

18 **“(A)** an individual working for or on behalf
19 of an eligible entity;

20 **“(B)** a school or university administrator;
21 and

22 **“(C)** an emergency services or medical em-
23 ployee;

24 **“(3)** the term ‘demonstration site’, with respect
25 to an eligible entity that receives a grant under this
26 section, means—

1 “(A) if the eligible entity is a law enforce-
2 ment agency described in paragraph (4)(A), the
3 area over which the eligible entity has jurisdic-
4 tion; and

5 “(B) if the eligible entity is an organiza-
6 tion or agency described in paragraph (4)(B),
7 the area over which a law enforcement agency
8 described in paragraph (4)(A) that is working
9 in collaboration with the eligible entity has ju-
10 risdiction; and

11 “(4) the term ‘eligible entity’ means—

12 “(A) a State, local, territorial, or Tribal
13 law enforcement agency; or

14 “(B) a national, regional, or local victim
15 services organization or agency working in col-
16 laboration with a law enforcement agency de-
17 scribed in subparagraph (A).

18 “(b) GRANTS AUTHORIZED.—

19 “(1) IN GENERAL.—The Attorney General shall
20 award grants on a competitive basis to eligible enti-
21 ties to carry out the demonstration program under
22 this section by implementing evidence-based or
23 promising policies and practices to incorporate trau-
24 ma-informed techniques designed to—

1 “(A) prevent re-traumatization of the vic-
2 tim;

3 “(B) ensure that covered individuals use
4 evidence-based practices to respond to and in-
5 vestigate cases of domestic violence, dating vio-
6 lence, sexual assault, and stalking;

7 “(C) improve communication between vic-
8 tims and law enforcement officers in an effort
9 to increase the likelihood of the successful in-
10 vestigation and prosecution of the reported
11 crime in a manner that protects the victim to
12 the greatest extent possible;

13 “(D) increase collaboration among stake-
14 holders who are part of the coordinated commu-
15 nity response to domestic violence, dating vio-
16 lence, sexual assault, and stalking; and

17 “(E) evaluate the effectiveness of the
18 training process and content by measuring—

19 “(i) investigative and prosecutorial
20 practices and outcomes; and

21 “(ii) the well-being of victims and
22 their satisfaction with the criminal justice
23 process.

24 “(2) TERM.—The Attorney General shall make
25 grants under this section for each of the first 2 fis-

1 cal years beginning after the date of enactment of
2 this Act.

3 “(3) AWARD BASIS.—The Attorney General
4 shall award grants under this section to multiple eli-
5 gible entities for use in a variety of settings and
6 communities, including—

7 “(A) urban, suburban, Tribal, remote, and
8 rural areas;

9 “(B) college campuses; or

10 “(C) traditionally underserved commu-
11 nities.

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

14 “(1) train covered individuals within the dem-
15 onstration site of the eligible entity to use evidence-
16 based, trauma-informed techniques and knowledge of
17 crime victims’ rights throughout an investigation
18 into domestic violence, dating violence, sexual as-
19 sault, or stalking, including by—

20 “(A) conducting victim interviews in a
21 manner that—

22 “(i) elicits valuable information about
23 the domestic violence, dating violence, sex-
24 ual assault, or stalking; and

1 “(ii) avoids re-traumatization of the
2 victim;

3 “(B) conducting field investigations that
4 mirror best and promising practices available at
5 the time of the investigation;

6 “(C) customizing investigative approaches
7 to ensure a culturally and linguistically appro-
8 priate approach to the community being served;

9 “(D) becoming proficient in understanding
10 and responding to complex cases, including
11 cases of domestic violence, dating violence, sex-
12 ual assault, or stalking—

13 “(i) facilitated by alcohol or drugs;

14 “(ii) involving strangulation;

15 “(iii) committed by a non-stranger;

16 “(iv) committed by an individual of
17 the same sex as the victim;

18 “(v) involving a victim with a dis-
19 ability;

20 “(vi) involving a male victim; or

21 “(vii) involving a lesbian, gay, bisex-
22 ual, or transgender (commonly referred to
23 as ‘LGBT’) victim;

24 “(E) developing collaborative relationships
25 between—

1 “(i) law enforcement officers and
2 other members of the response team; and

3 “(ii) the community being served; and

4 “(F) developing an understanding of how
5 to define, identify, and correctly classify a re-
6 port of domestic violence, dating violence, sex-
7 ual assault, or stalking; and

8 “(2) promote the efforts of the eligible entity to
9 improve the response of covered individuals to do-
10 mestic violence, dating violence, sexual assault, and
11 stalking through various communication channels,
12 such as the website of the eligible entity, social
13 media, print materials, and community meetings, in
14 order to ensure that all covered individuals within
15 the demonstration site of the eligible entity are
16 aware of those efforts and included in trainings, to
17 the extent practicable.

18 “(d) DEMONSTRATION PROGRAM TRAININGS ON
19 TRAUMA-INFORMED APPROACHES.—

20 “(1) IDENTIFICATION OF EXISTING
21 TRAININGS.—

22 “(A) IN GENERAL.—The Attorney General
23 shall identify trainings for law enforcement offi-
24 cers, in existence as of the date on which the

1 Attorney General begins to solicit applications
2 for grants under this section, that—

3 “(i) employ a trauma-informed ap-
4 proach to domestic violence, dating vio-
5 lence, sexual assault, and stalking; and

6 “(ii) focus on the fundamentals of—

7 “(I) trauma responses; and

8 “(II) the impact of trauma on
9 victims of domestic violence, dating vi-
10 olence, sexual assault, and stalking.

11 “(B) SELECTION.—An eligible entity that
12 receives a grant under this section shall select
13 one or more of the approaches employed by a
14 training identified under subparagraph (A) to
15 test within the demonstration site of the eligible
16 entity.

17 “(2) CONSULTATION.—In carrying out para-
18 graph (1), the Attorney General shall consult with
19 the Director of the Office for Victims of Crime in
20 order to seek input from and cultivate consensus
21 among outside practitioners and other stakeholders
22 through facilitated discussions and focus groups on
23 best practices in the field of trauma-informed care
24 for victims of domestic violence, dating violence, sex-
25 ual assault, and stalking.

1 “(e) EVALUATION.—The Attorney General, in con-
2 sultation with the Director of the National Institute of
3 Justice, shall require each eligible entity that receives a
4 grant under this section to identify a research partner,
5 preferably a local research partner, to—

6 “(1) design a system for generating and col-
7 lecting the appropriate data to facilitate an inde-
8 pendent process or impact evaluation of the use of
9 the grant funds;

10 “(2) periodically conduct an evaluation de-
11 scribed in paragraph (1); and

12 “(3) periodically make publicly available, during
13 the grant period—

14 “(A) preliminary results of the evaluations
15 conducted under paragraph (2); and

16 “(B) recommendations for improving the
17 use of the grant funds.

18 “(f) AUTHORIZATION OF APPROPRIATIONS.—The At-
19 torney General shall carry out this section using amounts
20 otherwise available to the Attorney General.

21 “(g) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion shall be construed to interfere with the due process
23 rights of any individual.”

1 **TITLE III—SERVICES, PROTEC-**
2 **TION, AND JUSTICE FOR**
3 **YOUNG VICTIMS**

4 **SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.**

5 Section 393A of the Public Health Service Act (42
6 U.S.C. 280b-1b) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (2), by inserting before
9 the semicolon at the end the following “or dig-
10 ital services (as such term is defined in section
11 40002(a) of the Violence Against Women Act of
12 1994)”; and

13 (B) in paragraph (7), by striking “sexual
14 assault” and inserting “sexual violence, sexual
15 assault, and sexual harassment”;

16 (2) in subsection (b), by striking “Indian trib-
17 al” and inserting “Indian Tribal”;

18 (3) in subsection (c)—

19 (A) in paragraph (1), by striking
20 “\$50,000,000 for each of fiscal years 2014
21 through 2018” and inserting “\$150,000,000
22 for each of fiscal years 2020 through 2024”;
23 and

24 (B) in paragraph (3), by adding at the end
25 the following: “Not less than 80 percent of the

1 total amount made available under this sub-
2 section in each fiscal year shall be awarded in
3 accordance with this paragraph.”; and

4 (4) by adding at the end the following:

5 “(e) REPORT.—Not later than 1 year after the date
6 of the enactment of the Violence Against Women Reau-
7 thorization Act of 2019, the Secretary, acting through the
8 Director of the Centers for Disease Control and Preven-
9 tion, shall submit to Congress, the Committee on Appro-
10 priations and the Committee on Energy and Commerce
11 of the House of Representatives, and the Committee on
12 Appropriations and the Committee on Health, Education,
13 Labor, and Pensions of the Senate a report on the activi-
14 ties funded by grants awarded under this section and best
15 practices relating to rape prevention and education.”.

16 **SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS,**
17 **SERVICES, AND EDUCATION (CHOOSE) FOR**
18 **CHILDREN AND YOUTH.**

19 Section 41201 of the Violent Crime Control and Law
20 Enforcement Act of 1994 (34 U.S.C. 12451) is amend-
21 ed—

22 (1) in subsection (a)—

23 (A) by striking “stalking, or sex traf-
24 ficking” and inserting “or stalking”; and

1 (B) by adding at the end the following:

2 “Grants awarded under this section may be
3 used to address sex trafficking or bullying as
4 part of a comprehensive program focused pri-
5 marily on domestic violence, dating violence,
6 sexual assault, or stalking.”;

7 (2) in subsection (b)—

8 (A) in paragraph (1)—

9 (i) in the matter preceding subpara-
10 graph (A), by striking “target youth who
11 are victims of domestic violence, dating vi-
12 olence, sexual assault, stalking, and sex
13 trafficking” and inserting “target youth,
14 including youth in underserved populations
15 who are victims of domestic violence, dat-
16 ing violence, sexual assault, stalking, and
17 sex trafficking”;

18 (ii) in subparagraph (B), by striking
19 “or” at the end;

20 (iii) in subparagraph (C), by striking
21 the period at the end and inserting a semi-
22 colon; and

23 (iv) by inserting after subparagraph
24 (C) the following:

1 “(D) clarify State or local mandatory re-
2 porting policies and practices regarding peer-to-
3 peer dating violence, sexual assault, stalking,
4 and sex trafficking; or

5 “(E) develop, enlarge, or strengthen cul-
6 turally specific programs and projects to pro-
7 vide culturally specific services regarding, re-
8 sponses to, and prevention of female genital
9 mutilation, female genital cutting, or female cir-
10 cumcision.”; and

11 (B) in paragraph (2)—

12 (i) in subparagraph (A), by striking
13 “stalking, or sex trafficking” and inserting
14 “stalking, sex trafficking, or female genital
15 mutilation, female genital cutting, or fe-
16 male circumcision”;

17 (ii) in subparagraph (C), by inserting
18 “confidential” before “support services”;
19 and

20 (iii) in subparagraph (E), by inserting
21 after “programming for youth” the fol-
22 lowing: “, including youth in underserved
23 populations,”;

24 (3) in subsection (c)—

1 (A) in paragraph (1), by striking “stalk-
2 ing, or sex trafficking” and inserting “or stalk-
3 ing”; and

4 (B) in paragraph (2)(A), by striking
5 “paragraph (1)” and inserting “subparagraph
6 (A) or (B) of paragraph (1)”;

7 (4) in subsection (d)(3), by striking “stalking,
8 and sex trafficking” and inserting “and stalking, in-
9 cluding training on working with youth in under-
10 served populations (and, where intervention or pro-
11 gramming will include a focus on female genital mu-
12 tilation, female genital cutting, or female circumci-
13 sion, or on sex trafficking, sufficient training on
14 those topics)”; and

15 (5) in subsection (f), by striking “\$15,000,000
16 for each of fiscal years 2014 through 2018” and in-
17 serting “\$25,000,000 for each of fiscal years 2020
18 through 2024”.

19 **SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAM-**
20 **PUSES.**

21 (a) **IN GENERAL.**—Section 304 of the Violence
22 Against Women and Department of Justice Reauthoriza-
23 tion Act of 2005 (34 U.S.C. 20125) is amended—

24 (1) in subsection (b)—

1 (A) by amending paragraph (2) to read as
2 follows:

3 “(2) To develop, strengthen, and implement
4 campus policies, protocols, and services that more ef-
5 fectively identify and respond to the crimes of do-
6 mestic violence, dating violence, sexual assault and
7 stalking, including the use of technology to commit
8 these crimes, and to train campus administrators,
9 campus security personnel, and all participants in
10 the resolution process, including the Title IX coordi-
11 nator’s office and student conduct office on campus
12 disciplinary or judicial boards on such policies, pro-
13 tocols, and services.”;

14 (B) by amending paragraph (3) to read as
15 follows:

16 “(3) To provide prevention and education pro-
17 gramming about domestic violence, dating violence,
18 sexual assault, and stalking, including technological
19 abuse and reproductive and sexual coercion, that is
20 age-appropriate, culturally relevant, ongoing, deliv-
21 ered in multiple venues on campus, accessible, pro-
22 motes respectful nonviolent behavior as a social
23 norm, and engages men and boys. Such program-
24 ming should be developed in partnership or collabo-

1 ratively with experts in intimate partner and sexual
2 violence prevention and intervention.”;

3 (C) in paragraph (4), by inserting after
4 “improve delivery of” the following: “primary
5 prevention training and”;

6 (D) in paragraph (9), by striking “and
7 provide” and inserting “, provide, and dissemi-
8 nate”;

9 (E) in paragraph (10), by inserting after
10 “or adapt” the following “and disseminate”;
11 and

12 (F) by inserting after paragraph (10) the
13 following:

14 “(11) To train campus health centers and ap-
15 propriate campus faculty, such as academic advisors
16 or professionals who deal with students on a daily
17 basis, on how to recognize and respond to domestic
18 violence, dating violence, sexual assault, and stalk-
19 ing, including training health providers on how to
20 provide universal education to all members of the
21 campus community on the impacts of violence on
22 health and unhealthy relationships and how pro-
23 viders can support ongoing outreach efforts.

24 “(12) To train campus personnel in how to use
25 a victim-centered, trauma-informed interview tech-

1 nique, which means asking questions of a student or
2 a campus employee who is reported to be a victim
3 of sexual harassment, sexual assault, domestic vio-
4 lence, dating violence, or stalking, in a manner that
5 is focused on the experience of the reported victim,
6 that does not judge or blame the reported victim for
7 the alleged crime, and that is informed by evidence-
8 based research on the neurobiology of trauma. To
9 the extent practicable, campus personnel shall allow
10 the reported victim to participate in a recorded
11 interview and to receive a copy of the recorded inter-
12 view.

13 “(13) To develop and implement an alternative
14 justice response (as such term is defined in section
15 40002(a) of the Violence Against Women Act of
16 1994).”;

17 (2) in subsection (c)(3), by striking “2014
18 through 2018” and inserting “2020 through 2024”;

19 (3) in subsection (d)—

20 (A) in paragraph (3)(B), by striking “for
21 all incoming students” and inserting “for all
22 students”;

23 (B) by amending paragraph (3)(D) to read
24 as follows:

1 “(D) The grantee shall train all partici-
2 pants in the resolution process, including the
3 Title IX coordinator’s office and student con-
4 duct office, to respond effectively to situations
5 involving domestic violence, dating violence, sex-
6 ual assault, or stalking.”; and

7 (C) in paragraph (4)(C), by inserting after
8 “sex,” the following: “sexual orientation, gender
9 identity,”; and

10 (4) in subsection (e), by striking “\$12,000,000
11 for each of fiscal years 2014 through 2018” and in-
12 serting “\$16,000,000 for each of fiscal years 2020
13 through 2024”.

14 (b) REPORT ON BEST PRACTICES REGARDING DO-
15 MESTIC VIOLENCE, DATING VIOLENCE, SEXUAL AS-
16 SAULT, AND STALKING ON CAMPUSES.—Not later than 1
17 year after the date of enactment of this Act, the Secretary
18 of Education shall submit to Congress a report, which in-
19 cludes—

20 (1) an evaluation of programs, events, and edu-
21 cational materials related to domestic violence, dat-
22 ing violence, sexual assault, and stalking; and

23 (2) an assessment of best practices and guid-
24 ance from the evaluation described in paragraph (1),

1 which shall be made publicly available online to uni-
2 versities and college campuses to use as a resource.

3 **SEC. 304. COMBAT ONLINE PREDATORS.**

4 (a) IN GENERAL.—Chapter 110A of title 18, United
5 States Code, is amended by inserting after section 2261A
6 the following:

7 **“§ 2261B. Enhanced penalty for stalkers of children**

8 “(a) IN GENERAL.—Except as provided in subsection
9 (b), if the victim of an offense under section 2261A is
10 under the age of 18 years, the maximum term of imprison-
11 ment for the offense is 5 years greater than the maximum
12 term of imprisonment otherwise provided for that offense
13 in section 2261.

14 “(b) LIMITATION.—Subsection (a) shall not apply to
15 a person who violates section 2261A if—

16 “(1) the person is subject to a sentence under
17 section 2261(b)(5); and

18 “(2)(A) the person is under the age of 18 at
19 the time the offense occurred; or

20 “(B) the victim of the offense is not less than
21 15 nor more than 17 years of age and not more
22 than 3 years younger than the person who com-
23 mitted the offense at the time the offense oc-
24 curred.”

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 110A of title 18, United States
3 Code, is amended by inserting after the item relating to
4 section 2261A the following new item:

“2261B. Enhanced penalty for stalkers of children.”.

5 (c) CONFORMING AMENDMENT.—Section 2261A of
6 title 18, United States Code, is amended in the matter
7 following paragraph (2)(B), by striking “section 2261(b)
8 of this title” and inserting “section 2261(b) or section
9 2261B, as the case may be”.

10 (d) REPORT ON BEST PRACTICES REGARDING EN-
11 FORCEMENT OF ANTI-STALKING LAWS.—Not later than
12 1 year after the date of the enactment of this Act, the
13 Attorney General shall submit a report to Congress, which
14 shall—

15 (1) include an evaluation of Federal, tribal,
16 State, and local efforts to enforce laws relating to
17 stalking; and

18 (2) identify and describe those elements of such
19 efforts that constitute the best practices for the en-
20 forcement of such laws.

1 **TITLE IV—VIOLENCE**
2 **REDUCTION PRACTICES**

3 **SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DIS-**
4 **EASE CONTROL AND PREVENTION.**

5 Section 402 of the Violence Against Women and De-
6 partment of Justice Reauthorization Act of 2005 (42
7 U.S.C. 280b-4) is amended—

8 (1) in subsection (b), by striking “violence
9 against women” and inserting “violence against
10 adults, youth,”; and

11 (2) in subsection (c), by striking “2014 through
12 2018” and inserting “2020 through 2024”.

13 **SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES**
14 **(SMART) THROUGH PREVENTION GRANTS.**

15 Section 41303 of the Violence Against Women Act
16 of 1994 (34 U.S.C. 12463) is amended—

17 (1) in subsection (b)(1)—

18 (A) in subparagraph (C), by striking
19 “and” at the end;

20 (B) in subparagraph (D), by striking the
21 period at the end and inserting “; and”; and

22 (C) by adding at the end the following:

23 “(E) strategies within each of these areas
24 addressing the unmet needs of underserved pop-
25 ulations.”;

1 (2) in subsection (d)(3)—

2 (A) in subparagraph (A), by striking
3 “and” at the end;

4 (B) in subparagraph (B), by striking the
5 period at the end and inserting “; and”; and

6 (C) by adding at the end the following:

7 “(C) include a focus on the unmet needs of
8 underserved populations.”;

9 (3) in subsection (f), by striking “\$15,000,000
10 for each of fiscal years 2014 through 2018” and in-
11 serting “\$45,000,000 for each of fiscal years 2020
12 through 2024”; and

13 (4) in subsection (g), by adding at the end the
14 following:

15 “(3) REMAINING AMOUNTS.—Any amounts not
16 made available under paragraphs (1) and (2) may be
17 used for any set of purposes described in paragraphs
18 (1), (2), or (3) of subsection (b), or for a project
19 that fulfills two or more of such sets of purposes.”.

1 **TITLE V—STRENGTHENING THE**
2 **HEALTHCARE SYSTEMS RE-**
3 **SPONSE**

4 **SEC. 501. GRANTS TO STRENGTHEN THE HEALTHCARE SYS-**
5 **TEMS RESPONSE TO DOMESTIC VIOLENCE,**
6 **DATING VIOLENCE, SEXUAL ASSAULT, AND**
7 **STALKING.**

8 Section 399P of the Public Health Service Act (42
9 U.S.C. 280g-4) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (2), by striking “and” at
12 the end;

13 (B) in paragraph (3), by striking the pe-
14 riod at the end and inserting “; and”; and

15 (C) by adding at the end the following:

16 “(4) the development or enhancement and im-
17 plementation of training programs to improve the
18 capacity of early childhood programs to address do-
19 mestic violence, dating violence, sexual assault, and
20 stalking among families they serve.”;

21 (2) in subsection (b)(1)—

22 (A) in subparagraph (A)(ii), by inserting “,
23 including labor and sex trafficking” after
24 “other forms of violence and abuse”;

25 (B) in subparagraph (B)(ii)—

1 (i) by striking “on-site access to”; and

2 (ii) by striking “patients by increas-

3 ing” and all that follows through the semi-

4 colon and inserting the following: “patients

5 by—

6 “(I) increasing the capacity of

7 existing health care professionals, in-

8 cluding specialists in trauma and in

9 behavioral health care, and public

10 health staff to address domestic vio-

11 lence, dating violence, sexual assault,

12 stalking, and children exposed to vio-

13 lence;

14 “(II) contracting with or hiring

15 advocates for victims of domestic vio-

16 lence or sexual assault to provide such

17 services; or

18 “(III) providing funding to State

19 domestic and sexual violence coalitions

20 to improve the capacity of such coali-

21 tions to coordinate and support health

22 advocates and other health system

23 partnerships;”;

24 (C) in subparagraph (B)(iii), by striking

25 “and” at the end;

1 (D) in subparagraph (B)(iv) by striking
2 the period at the end and inserting the fol-
3 lowing: “, with priority given to programs ad-
4 ministered through the Health Resources and
5 Services Administration, Office of Women’s
6 Health; and”;

7 (E) in subparagraph (B), by adding at the
8 end the following:

9 “(v) the development, implementation,
10 dissemination, and evaluation of best prac-
11 tices, tools, and training materials for be-
12 havioral health professionals to identify
13 and respond to domestic violence, sexual
14 violence, stalking, and dating violence.”;

15 (3) in subsection (b)(2)(A)—

16 (A) in the heading, by striking “CHILD
17 AND ELDER ABUSE” and inserting the fol-
18 lowing: “CHILD ABUSE AND ABUSE IN LATER
19 LIFE”; and

20 (B) by striking “child or elder abuse” and
21 inserting the following: “child abuse or abuse in
22 later life”;

23 (4) in subsection (b)(2)(C)(i), by striking “elder
24 abuse” and inserting “abuse in later life”;

1 (5) in subsection (b)(2)(C)(iii), by striking “or”
2 at the end;

3 (6) in subsection (b)(2)(C)(iv)—

4 (A) by inserting “mental health,” after
5 “dental,”; and

6 (B) by striking “exams.” and inserting
7 “exams and certifications;”;

8 (7) in subsection (b)(2)(C), by inserting after
9 clause (iv) the following:

10 “(v) development of a State-level pilot
11 program to—

12 “(I) improve the response of sub-
13 stance use disorder treatment pro-
14 grams and systems to domestic vio-
15 lence, dating violence, sexual assault,
16 and stalking; and

17 “(II) improve the capacity of
18 substance use disorder treatment pro-
19 grams and systems to serve survivors
20 of domestic violence, dating violence,
21 sexual assault, and stalking dealing
22 with substance use disorder; or

23 “(vi) development and utilization of
24 existing technical assistance and training
25 resources to improve the capacity of sub-

1 stance use disorder treatment programs to
2 address domestic violence, dating violence,
3 sexual assault, and stalking among pa-
4 tients the programs serve.”;

5 (8) in subsection (d)(2)(A)—

6 (A) by inserting “or behavioral health”
7 after “of health”;

8 (B) by inserting “behavioral” after “phys-
9 ical or”; and

10 (C) by striking “mental” before “health
11 care”;

12 (9) in subsection (d)(2)(B)—

13 (A) by striking “or health system” and in-
14 serting “behavioral health treatment system”;
15 and

16 (B) by striking “mental” and inserting
17 “behavioral”;

18 (10) in subsection (f) in the heading, by strik-
19 ing “RESEARCH AND EVALUATION” and inserting
20 “RESEARCH, EVALUATION, AND DATA COLLEC-
21 TION”;

22 (11) in subsection (f)(1), by striking “research
23 and evaluation” and inserting “research, evaluation,
24 or data collection”;

1 (12) in subsection (f)(1)(B), by inserting after
2 “health care” the following: “or behavioral health”;

3 (13) in subsection (f)(2)—

4 (A) in the heading, by inserting after “RE-
5 SEARCH” the following: “AND DATA COLLEC-
6 TION”;

7 (B) in the matter preceding subparagraph
8 (A), by inserting “or data collection” before
9 “authorized in paragraph (1)”;

10 (C) in subparagraph (C), by striking
11 “and” at the end;

12 (D) in subparagraph (D), by striking the
13 period at the end and inserting a semicolon;
14 and

15 (E) by inserting after subparagraph (D)
16 the following:

17 “(E) research on the intersection of sub-
18 stance use disorder and domestic violence, dat-
19 ing violence, sexual assault, and stalking, in-
20 cluding the effect of coerced use and efforts by
21 an abusive partner or other to interfere with
22 substance use disorder treatment and recovery;
23 and

24 “(F) improvement of data collection using
25 existing Federal surveys by including questions

1 about domestic violence, dating violence, sexual
 2 assault, or stalking and substance use disorder,
 3 coerced use, and mental or behavioral health.”;
 4 (14) in subsection (g), by striking “2014
 5 through 2018” and inserting “2020 through 2024”;
 6 and
 7 (15) in subsection (h), by striking “herein” and
 8 “provided for”.

9 **TITLE VI—SAFE HOMES FOR**
 10 **VICTIMS**

11 **SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMES-**
 12 **TIC VIOLENCE, DATING VIOLENCE, SEXUAL**
 13 **ASSAULT, AND STALKING.**

14 Section 41411 of the Violence Against Women Act
 15 of 1994 (34 U.S.C. 12491) is amended—

16 (1) in subsection (a)—

17 (A) in paragraph (1)(A), by striking
 18 “brother, sister,” and inserting “sibling,”;

19 (B) in paragraph (3)—

20 (i) in subparagraph (A), by inserting
 21 before the semicolon at the end the fol-
 22 lowing: “including the direct loan program
 23 under such section”;

24 (ii) in subparagraph (D), by striking
 25 “the program under subtitle A” and in-

1 serting “the programs under subtitles A
2 through D”;

3 (iii) in subparagraph (I)—

4 (I) by striking “sections 514,
5 515, 516, 533, and 538 of the Hous-
6 ing Act of 1949 (42 U.S.C. 1484,
7 1485, 1486, 1490m, and 1490p-2)”
8 and inserting “sections 514, 515, 516,
9 533, 538, and 542 of the Housing Act
10 of 1949 (42 U.S.C. 1484, 1485, 1486,
11 1490m, 1490p-2, and 1490r)”;

12 (II) by striking “and” at the end;

13 (iv) in subparagraph (J), by striking
14 the period at the end and inserting a semi-
15 colon; and

16 (v) by adding at the end the following:

17 “(K) the provision of assistance from the
18 Housing Trust Fund as established under sec-
19 tion 1338 of the Federal Housing Enterprises
20 Financial Safety and Soundness Act of 1992
21 (12 U.S.C. 4501);

22 “(L) the provision of assistance for hous-
23 ing under the Comprehensive Service Programs
24 for Homeless Veterans program under sub-

1 chapter II of chapter 20 of title 38, United
2 States Code (38 U.S.C. 2011 et seq.);

3 “(M) the provision of assistance for hous-
4 ing and facilities under the grant program for
5 homeless veterans with special needs under sec-
6 tion 2061 of title 38, United States Code;

7 “(N) the provision of assistance for perma-
8 nent housing under the program for financial
9 assistance for supportive services for very low-
10 income veteran families in permanent housing
11 under section 2044 of title 38, United States
12 Code; and

13 “(O) any other Federal housing programs
14 providing affordable housing to low-income per-
15 sons by means of restricted rents or rental as-
16 sistance as identified by the appropriate agen-
17 cy.”; and

18 (C) by adding at the end the following:

19 “(4) COVERED HOUSING PROVIDER.—The term
20 ‘covered housing provider’ refers to the individual or
21 entity under a covered housing program that has re-
22 sponsibility for the administration or oversight of
23 housing assisted under a covered housing program
24 and includes public housing agencies, sponsors, own-
25 ers, mortgagors, managers, grantee under the Con-

1 tinuum of Care, State and local governments or
2 agencies thereof, and nonprofit or for-profit organi-
3 zations or entities.

4 “(5) CONTINUUM OF CARE.—The term ‘Con-
5 tinuum of Care’ means the Federal program author-
6 ized under subtitle C of title IV of the McKinney-
7 Vento Homeless Assistance Act (42 U.S.C. 11381 et
8 seq.).

9 “(6) INTERNAL TRANSFER.—The term ‘internal
10 transfer’ means an emergency transfer under sub-
11 section (e) from a unit of a covered housing provider
12 to a unit of the same covered housing provider and
13 under the same covered housing program except for
14 programs under the McKinney-Vento Homeless As-
15 sistance Act that can transfer to any unit of the
16 same covered housing provider.

17 “(7) EXTERNAL TRANSFER.—The term ‘exter-
18 nal transfer’ means an emergency transfer under
19 subsection (e) from a unit of a covered housing pro-
20 vider to a unit of a different covered housing pro-
21 vider under the same covered housing program.”;

22 (2) in subsection (b)(3)—

23 (A) in the heading, by inserting after
24 “CRIMINAL ACTIVITY” the following: “AND FAM-
25 ILY BREAK-UP”;

1 (B) by amending subparagraph (A) to read
2 as follows:

3 “(A) DENIAL OF ASSISTANCE, TENANCY,
4 AND OCCUPANCY RIGHTS PROHIBITED.—

5 “(i) IN GENERAL.—A tenant shall not
6 be denied assistance, tenancy, or occu-
7 pancy rights to housing assisted under a
8 covered housing program solely on the
9 basis of criminal activity directly relating
10 to domestic violence, dating violence, sex-
11 ual assault, or stalking that is engaged in
12 by a member of the household of the ten-
13 ant or any guest or other person under the
14 control of the tenant, if the tenant or an
15 affiliated individual of the tenant is the
16 victim or threatened victim of such domes-
17 tic violence, dating violence, sexual assault,
18 or stalking.

19 “(ii) CRIMINAL ACTIVITY ENGAGED IN
20 BY PERPETRATOR OF ABUSE.—A tenant
21 shall not be denied assistance, tenancy, or
22 occupancy rights to housing assisted under
23 a covered housing program solely on the
24 basis of criminal activity, including drug-
25 related criminal activity (as such term is

1 defined section 3(b)(9) of the United
2 States Housing Act of 1937 (42 U.S.C.
3 1437a(b)(9)), engaged in by the perpe-
4 trator of the domestic violence, dating vio-
5 lence, sexual assault, or stalking.

6 “(iii) REVIEW PRIOR TO DENIAL OF
7 ASSISTANCE.—Prior to denying assistance,
8 tenancy, or occupancy rights to housing as-
9 sisted under a covered housing program to
10 a tenant on the basis of criminal activity of
11 the tenant, including drug-related criminal
12 activity, the covered housing provider must
13 conduct an individualized review of the to-
14 tality of the circumstances regarding the
15 criminal activity at issue if the tenant is a
16 victim of domestic violence, dating violence,
17 sexual assault, or stalking. Such review
18 shall include consideration of—

19 “(I) the nature and severity of
20 the criminal activity;

21 “(II) the amount of time that
22 has elapsed since the occurrence of
23 the criminal activity;

24 “(III) if the tenant engaged in
25 more than one instance of criminal ac-

1 tivity, the frequency and duration of
2 the criminal activity;

3 “(IV) whether the criminal activ-
4 ity was related to a symptom of a dis-
5 ability, including a substance use dis-
6 order;

7 “(V) whether the victim was co-
8 erced by the perpetrator of domestic
9 violence, dating violence, sexual as-
10 sult, or stalking;

11 “(VI) whether the victim has
12 taken affirmative steps to reduce the
13 likelihood that the criminal activity
14 will recur; and

15 “(VII) any mitigating factors.

16 The covered housing program must provide
17 the tenant with a written summary of its
18 review and the tenant shall have the oppor-
19 tunity to invoke the covered housing pro-
20 gram’s grievance policy to dispute the find-
21 ings.”;

22 (C) in subparagraph (B)—

23 (i) in the heading, by striking “BI-
24 FURCATION” and inserting “FAMILY
25 BREAK-UP”;

1 (ii) by redesignating clauses (i) and
2 (ii) as clauses (ii) and (iii) respectively;

3 (iii) by inserting before clause (ii) (as
4 redesignated by clause (ii) of this subpara-
5 graph) the following:

6 “(i) IN GENERAL.—If a family break-
7 up results from an occurrence of domestic
8 violence, dating violence, sexual assault, or
9 stalking, and the perpetrator no longer re-
10 sides in the unit and was the sole tenant
11 eligible to receive assistance under a cov-
12 ered housing program, the covered housing
13 provider shall—

14 “(I) provide any other tenant or
15 resident the opportunity to establish
16 eligibility for the covered housing pro-
17 gram; or

18 “(II) provide that tenant or resi-
19 dent with at least 180 days to remain
20 in the unit under the same terms and
21 conditions as the perpetrator and find
22 new housing or establish eligibility for
23 another covered housing program.”;

24 (iv) in clause (ii) (as redesignated by
25 clause (ii) of this subparagraph)—

1 (I) in the heading, by striking
2 “IN GENERAL” and inserting “EVIC-
3 TION”; and

4 (II) by inserting after “a public
5 housing agency” the following: “, par-
6 ticipating jurisdictions, grantees under
7 the Continuum of Care, grantees,”;
8 and

9 (v) by striking clause (iii) (as redesign-
10 nated by clause (ii) of this subparagraph);
11 (D) in subparagraph (C)—

12 (i) in clause (iii), by striking “or” at
13 the end;

14 (ii) in clause (iv), by striking the pe-
15 riod at the end and inserting “; or”; and

16 (iii) by adding at the end the fol-
17 lowing:

18 “(v) to limit any right, remedy, or
19 procedure otherwise available under the Vi-
20 olence Against Women Reauthorization Act
21 of 2005 (Public Law 109–162, 119 Stat.
22 2960) prior to the date of enactment of the
23 Violence Against Women Reauthorization
24 Act of 2019.”; and

1 (E) by inserting after subparagraph (C)
2 the following:

3 “(D) EARLY TERMINATION.—A covered
4 housing provider shall permit a tenant assisted
5 under the covered housing program to termi-
6 nate the lease at any time prior to the end date
7 of the lease, without penalty, if the tenant has
8 been a victim of domestic violence, dating vio-
9 lence, sexual assault, or stalking and the ten-
10 ant—

11 “(i) sends notice of the early lease ter-
12 mination to the landlord in writing prior to
13 or within 3 days of vacating the premises
14 unless a shorter notice period is provided
15 for under State law;

16 “(ii)(I) reasonably believes that the
17 tenant is threatened with imminent harm
18 if the tenant remains within the same
19 dwelling unit subject to the lease; or

20 “(II) is a victim of sexual assault, the
21 sexual assault occurred on the premises
22 during the 180-day period preceding the
23 request for lease termination; and

1 “(iii) provides a form of documenta-
2 tion consistent with the requirements out-
3 lined in subsection (c)(3).

4 Nothing in this subparagraph may be construed
5 to preclude any automatic termination of a
6 lease by operation of law.”;

7 (3) in subsection (c)(4), in the matter preceding
8 subparagraph (A)—

9 (A) by striking “Any information sub-
10 mitted to a public housing agency or owner or
11 manager” and inserting “Covered housing pro-
12 viders shall ensure any information submitted”;
13 and

14 (B) by inserting after “owner or manager”
15 the following: “of housing assisted under a cov-
16 ered housing program”;

17 (4) by amending subsection (e) to read as fol-
18 lows:

19 “(e) EMERGENCY TRANSFERS.—

20 “(1) IN GENERAL.—A tenant who is a victim of
21 domestic violence, dating violence, sexual assault, or
22 stalking may apply for an emergency transfer to an-
23 other available and safe dwelling unit assisted under
24 a covered housing program, and the covered housing
25 provider shall grant such application if—

1 “(A) the tenant expressly requests the
2 transfer from the covered housing provider; and

3 “(B)(i) the tenant reasonably believes that
4 the tenant is threatened with imminent harm
5 from further violence if the tenant remains
6 within the same dwelling unit assisted under a
7 covered housing program; or

8 “(ii) in the case of a tenant who is a victim
9 of sexual assault, the sexual assault occurred on
10 the premises during the 180 day period pre-
11 ceding the request for transfer.

12 A tenant who is not in good standing retains the
13 right to an emergency transfer if they meet the eligi-
14 bility requirements in this section and the eligibility
15 requirements of the program to which the tenant in-
16 tends to transfer.

17 “(2) POLICIES.—Each appropriate agency shall
18 adopt an emergency transfer policy for use by cov-
19 ered housing programs. Such emergency transfer
20 policies shall reflect the variations in program oper-
21 ation and administration by covered housing pro-
22 gram type. The policies must, at a minimum—

23 “(A) describe a process that—

24 “(i) permits tenants who are victims
25 of domestic violence, dating violence, sex-

1 ual assault, or stalking to move to another
2 available and safe dwelling quickly through
3 an internal transfer and by receiving a ten-
4 ant protection voucher, if eligible, pursuant
5 to subsection (f);

6 “(ii) provides that the victim can
7 choose between completing an internal
8 transfer or receiving a tenant protection
9 voucher, whichever is the safest option for
10 the victim; and

11 “(iii) requires that an internal trans-
12 fer must occur within 10 days after a cov-
13 ered housing provider’s approval of a re-
14 quest for an emergency transfer;

15 “(B) describe a process to permit tenants
16 who are victims of domestic violence, dating vio-
17 lence, sexual assault, or stalking to complete an
18 external transfer;

19 “(C) describe a process that allows a vic-
20 tim of domestic violence, dating violence, sexual
21 assault, or stalking to temporarily relocate,
22 while maintaining eligibility for the covered
23 housing program without the loss of their hous-
24 ing status, if there are no alternative com-
25 parable housing program units available, until a

1 safe housing unit under the covered housing
2 program or a tenant protection voucher is avail-
3 able;

4 “(D) prioritize completing internal trans-
5 fers and receiving tenant protection vouchers
6 over external transfers, except for Continua of
7 Care, which shall prioritize completing an inter-
8 nal transfer or external transfer prior to receiv-
9 ing a tenant protection voucher;

10 “(E) mandate that internal and external
11 transfers take priority over non-emergency
12 transfers;

13 “(F) mandate that internal and external
14 transfers are not considered new applicants and
15 take priority over existing waiting lists for a
16 covered housing program;

17 “(G) incorporate confidentiality measures
18 to ensure that the appropriate agency and the
19 covered housing provider do not disclose any in-
20 formation regarding a tenant who is victim of
21 domestic violence, dating violence, sexual as-
22 sault, or stalking, including the location of a
23 new dwelling unit to any person or entity with-
24 out the written authorization of the tenant;

1 “(H) mandate that if a victim cannot re-
2 ceive an internal transfer, external transfer, and
3 a tenant protection voucher, then the covered
4 housing provider must assist the victim in iden-
5 tifying other housing providers who may have
6 safe and available units to which the victim can
7 move and that the covered housing provider
8 also assist tenants in contacting local organiza-
9 tions offering assistance to victims; and

10 “(I) mandate a uniform policy for how a
11 victim of domestic violence, dating violence, sex-
12 ual assault, or stalking requests an internal or
13 external transfer.

14 “(3) LOCAL SYSTEMS FUNDED BY CONTINUUM
15 OF CARE.—In addition to adopting the policies as
16 defined in paragraph (2) in an emergency transfer
17 policy, each grantee under the Continuum of Care
18 shall designate the entity within its geographic area
19 that will coordinate and facilitate emergency trans-
20 fers, and that entity shall also—

21 “(A) coordinate external transfers among
22 all covered housing providers participating in
23 the Continuum of Care;

24 “(B) identify an external transfer, if avail-
25 able, within 30 days of an approved request;

1 “(C) coordinate emergency transfers with
2 Continua of Care in other jurisdictions in cases
3 where the victim requests an out-of-jurisdiction
4 transfer; and

5 “(D) ensure a victim is not required to be
6 reassessed through the local Continuum of Care
7 intake process when seeking an emergency
8 transfer placement.

9 “(4) REGIONAL OFFICES.—Each regional office
10 of the Department of Housing and Urban Develop-
11 ment (hereinafter in this section referred to as a
12 ‘HUD regional office’) shall develop and implement
13 a regional emergency transfer plan in collaboration
14 with public housing agencies and the entities des-
15 ignated under paragraph (3). Such a plan shall set
16 forth how public housing agencies will coordinate
17 emergency transfers with other public housing agen-
18 cies regionally. The plans must be submitted to the
19 Violence Against Women Director and be made pub-
20 licly available. HUD regional offices shall defer to
21 any additional emergency transfer policies, priorities
22 and strategies set by entities designated under para-
23 graph (3).

24 “(5) COVERED HOUSING PROVIDERS.—Each
25 covered housing provider shall develop and imple-

1 ment an emergency transfer policy consistent with
2 the requirements in paragraph (2) or (3).”;

3 (5) in subsection (f), by adding at the end the
4 following: “The Secretary shall establish these poli-
5 cies and procedures within 60 days after the date of
6 enactment of the Violence Against Women Reau-
7 thorization Act of 2019.”;

8 (6) by redesignating subsection (g) as sub-
9 section (k); and

10 (7) by inserting after subsection (f) the fol-
11 lowing:

12 “(g) EMERGENCY TRANSFER POLICIES AND PROCE-
13 DURES.—The head of each appropriate agency shall estab-
14 lish the policy required under subsection (e) with respect
15 to emergency transfers and emergency transfer vouchers
16 within 180 days after the date of enactment of the Vio-
17 lence Against Women Reauthorization Act of 2019.

18 “(h) EMERGENCY TRANSFER VOUCHERS.—Provision
19 of emergency transfer vouchers to victims of domestic vio-
20 lence, dating violence, sexual assault, or stalking under
21 subsection (e), shall be considered an eligible use of any
22 funding for tenant protection voucher assistance available
23 under section 8(o) of the United States Housing Act of
24 1937 (42 U.S.C. 1437f(o)) subject to the availability of
25 appropriated funds.

1 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out emergency
3 transfers under this section, \$20,000,000 under section
4 8(o) of the United States Housing Act of 1937 (42 U.S.C.
5 1437f(o)) for each of fiscal years 2020 through 2024.

6 “(j) TRAINING AND REFERRALS.—

7 “(1) TRAINING FOR STAFF OF COVERED HOUS-
8 ING PROGRAMS.—The Secretary of Housing and
9 Urban Development, in partnership with domestic
10 violence experts, shall develop mandatory training
11 for staff of covered housing providers to provide a
12 basic understanding of domestic violence, dating vio-
13 lence, sexual assault, and stalking, and to facilitate
14 implementation of this section. All staff of covered
15 housing providers shall attend the basic under-
16 standing training once annually; and all staff and
17 managers engaged in tenant services shall attend
18 both the basic understanding training and the imple-
19 mentation training once annually.

20 “(2) REFERRALS.—The appropriate agency
21 with respect to each covered housing program shall
22 supply all appropriate staff of the covered housing
23 providers with a referral listing of public contact in-
24 formation for all domestic violence, dating violence,

1 sexual assault, and stalking service providers offer-
2 ing services in its coverage area.”

3 **SEC. 602. ENSURING COMPLIANCE AND IMPLEMENTATION;**

4 **PROHIBITING RETALIATION AGAINST VIC-**
5 **TIMS.**

6 Chapter 2 of subtitle N of title IV of the Violence
7 Against Women Act of 1994 (34 U.S.C. 12491 et seq.)
8 is amended by inserting after section 41411 the following:
9 **“SEC. 41412. COMPLIANCE REVIEWS.**

10 **“(a) ANNUAL COMPLIANCE REVIEWS.**—Each appro-
11 priate agency administering a covered housing program
12 shall establish a process by which to review compliance
13 with the requirements of this subtitle, on an annual basis,
14 of the covered housing providers administered by that
15 agency. Such a review shall examine the following topics:

16 **“(1)** Covered housing provider compliance with
17 requirements prohibiting the denial of assistance,
18 tenancy, or occupancy rights on the basis of domes-
19 tic violence, dating violence, sexual assault, or stalk-
20 ing.

21 **“(2)** Covered housing provider compliance with
22 confidentiality provisions set forth in section
23 41411(c)(4).

1 “(3) Covered housing provider compliance with
2 the notification requirements set forth in section
3 41411(d)(2).

4 “(4) Covered housing provider compliance with
5 accepting documentation set forth in section
6 41411(c).

7 “(5) Covered housing provider compliance with
8 emergency transfer requirements set forth in section
9 41411(e).

10 “(6) Covered housing provider compliance with
11 the prohibition on retaliation set forth in section
12 41414.

13 “(b) REGULATIONS.—Each appropriate agency shall
14 issue regulations to implement subsection (a) not later
15 than 1 year after the effective date of the Violence Against
16 Women Reauthorization Act of 2019. These regulations
17 shall—

18 “(1) define standards of compliance for covered
19 housing providers;

20 “(2) include detailed reporting requirements, in-
21 cluding the number of emergency transfers re-
22 quested and granted, as well as the length of time
23 needed to process emergency transfers,
24 disaggregated by external and internal transfers;
25 and

1 “(3) include standards for corrective action
2 plans where a covered housing provider has failed to
3 meet compliance standards.

4 “(e) PUBLIC DISCLOSURE.—Each appropriate agen-
5 cy shall ensure that an agency-level assessment of the in-
6 formation collected during the compliance review process
7 completed pursuant to this subsection is made publicly
8 available. This agency-level assessment shall include an
9 evaluation of each topic identified in subsection (a).

10 “(d) RULES OF CONSTRUCTION.—Nothing in this
11 section shall be construed—

12 “(1) to limit any claim filed or other proceeding
13 commenced, by the date of enactment of the Vio-
14 lence Against Women Reauthorization Act of 2019,
15 with regard to any right, remedy, or procedure oth-
16 erwise available under the Violence Against Women
17 Reauthorization Act of 2005 (Public Law 109–162,
18 119 Stat. 2960), as in effect on the day prior to
19 such date of enactment; or

20 “(2) to supersede any provision of any Federal,
21 State, or local law that provides greater protection
22 than this section for victims of domestic violence,
23 dating violence, sexual assault, or stalking.

1 "SEC. 41413. DEPARTMENT OF HOUSING AND URBAN DE-
2 VELOPMENT VIOLENCE AGAINST WOMEN DI-
3 RECTOR.

4 "(a) ESTABLISHMENT.—There shall be, within the
5 Office of the Secretary of the Department of Housing and
6 Urban Development, a Violence Against Women Director
7 (in this section referred to as the 'Director').

8 "(b) DUTIES.—The Director shall—

9 "(1) support implementation of the provisions
10 of this subtitle;

11 "(2) coordinate development of Federal regula-
12 tions, policy, protocols, and guidelines on matters re-
13 lating to the implementation of this subtitle, at each
14 agency administering a covered housing program;

15 "(3) advise and coordinate with designated offi-
16 cials within the United States Interagency Council
17 on Homelessness, the Department of Housing and
18 Urban Development, the Department of the Treas-
19 ury, the Department of Agriculture, the Department
20 of Health and Human Services, the Department of
21 Veterans Affairs, and the Department of Justice
22 concerning legislation, implementation, and other
23 issues relating to or affecting the housing provisions
24 under this subtitle;

25 "(4) provide technical assistance, coordination,
26 and support to each appropriate agency regarding

1 advancing housing protections and access to housing
2 for victims of domestic violence, dating violence, sex-
3 ual assault, and stalking, including compliance with
4 this subtitle;

5 “(5) ensure that adequate technical assistance
6 is made available to covered housing providers re-
7 garding implementation of this subtitle, as well as
8 other issues related to advancing housing protections
9 for victims of domestic violence, dating violence, sex-
10 ual assault, and stalking, including compliance with
11 this subtitle;

12 “(6) act as a liaison with the judicial branches
13 of Federal, State, and local governments on matters
14 relating to the housing needs of victims of domestic
15 violence, dating violence, sexual assault, and stalk-
16 ing;

17 “(7) implement a quality control system and a
18 corrective action plan system for those covered hous-
19 ing providers that fail to comply with this subtitle,
20 wherein—

21 “(A) such corrective action plans shall be
22 developed in partnership with national, State,
23 or local programs focused on child or adult vic-
24 tims of domestic violence, dating violence, sex-
25 ual assault, or stalking; and

1 “(B) such corrective action plans shall in-
2 clude provisions requiring covered housing pro-
3 viders to review and develop appropriate no-
4 tices, procedures, and staff training to improve
5 compliance with this subtitle, in partnership
6 with national, state, or local programs focused
7 on child or adult victims;

8 “(8) establish a formal reporting process to re-
9 ceive individual complaints concerning noncompli-
10 ance with this subtitle;

11 “(9) coordinate the development of interagency
12 guidelines to ensure that information concerning
13 available dwelling units is forwarded to the Director
14 by all covered housing providers for use by the Sec-
15 retary in facilitating the emergency transfer process;

16 “(10) coordinate with HUD regional offices and
17 officials at each appropriate agency the development
18 of Federal regulations, policy, protocols, and guide-
19 lines regarding uniform timeframes for the comple-
20 tion of emergency transfers; and

21 “(11) ensure that the guidance and notices to
22 victims are distributed in commonly encountered lan-
23 guages.

24 “(c) RULES OF CONSTRUCTION.—Nothing in this
25 section shall be construed—

1 “(1) to limit any claim filed or other proceeding
2 commenced, by the date of enactment of the Violence
3 Against Women Reauthorization Act of 2019,
4 with regard to any right, remedy, or procedure otherwise
5 available under the Violence Against Women
6 Reauthorization Act of 2005 (Public Law 109–162,
7 119 Stat. 2960), as in effect on the day prior to
8 such date of enactment; or

9 “(2) to supersede any provision of any Federal,
10 State, or local law that provides greater protection
11 than this section for victims of domestic violence,
12 dating violence, sexual assault, or stalking.

13 **“SEC. 41414. PROHIBITION ON RETALIATION.**

14 “(a) **NONDISCRIMINATION REQUIREMENT.**—No covered
15 housing provider shall discriminate against any person
16 because that person has opposed any act or practice
17 made unlawful by this subtitle, or because that individual
18 testified, assisted, or participated in any matter related
19 to this subtitle.

20 “(b) **PROHIBITION ON COERCION.**—No covered housing
21 provider shall coerce, intimidate, threaten, or interfere
22 with, or retaliate against, any person in the exercise or
23 enjoyment of, or on account of the person having exercised
24 or enjoyed, or on account of the person having aided or
25 encouraged any other individual in the exercise or enjoy-

1 ment of; any rights or protections under this subtitle, in-
2 cluding—

3 “(1) intimidating or threatening any person be-
4 cause that person is assisting or encouraging an in-
5 dividual entitled to claim the rights or protections
6 under this subtitle; and

7 “(2) retaliating against any person because that
8 person has participated in any investigation or ac-
9 tion to enforce this subtitle.

10 “(c) ENFORCEMENT AUTHORITY OF THE SEC-
11 RETARY.—The authority of the Secretary of Housing and
12 Urban Development and the Office for Fair Housing and
13 Equal Opportunity to enforce this section shall be the
14 same as the Fair Housing Act (42 U.S.C. 3610 et seq.).”

15 **SEC. 603. PROTECTING THE RIGHT TO REPORT CRIME**
16 **FROM ONE'S HOME.**

17 (a) IN GENERAL.—Chapter 2 of subtitle N of title
18 IV of the Violence Against Women Act of 1994 (34 U.S.C.
19 12491 et seq.), as amended by this Act, is further amend-
20 ed by inserting after section 41414 the following:

21 **“SEC. 41415. RIGHT TO REPORT CRIME AND EMERGENCIES**
22 **FROM ONE'S HOME.**

23 “(a) IN GENERAL.—Landlords, homeowners, resi-
24 dents, occupants, and guests of, and applicants for, hous-
25 ing assisted under a covered housing program shall have

1 the right to seek law enforcement or emergency assistance
2 on their own behalf or on behalf of another person in need
3 of assistance, and shall not be penalized based on their
4 requests for assistance or based on criminal activity of
5 which they are a victim or otherwise not at fault under
6 statutes, ordinances, regulations, or policies adopted or en-
7 forced by covered governmental entities as defined in sub-
8 section (d). Penalties that are prohibited include—

9 “(1) actual or threatened assessment of pen-
10 alties, fees, or fines;

11 “(2) actual or threatened eviction;

12 “(3) actual or threatened refusal to rent or
13 renew tenancy;

14 “(4) actual or threatened refusal to issue an oc-
15 cupancy permit or landlord permit; and

16 “(5) actual or threatened closure of the prop-
17 erty, or designation of the property as a nuisance or
18 a similarly negative designation.

19 “(b) REPORTING.—Consistent with the process pro-
20 vided for in section 104(b) of the Housing and Community
21 Development Act of 1974 (42 U.S.C. 5304(b)), covered
22 governmental entities shall—

23 “(1) report any of their laws or policies, or, as
24 applicable, the laws or policies adopted by sub-
25 grantees, that impose penalties on landlords, home-

1 owners, residents, occupants, guests, or housing ap-
2 plicants based on requests for law enforcement or
3 emergency assistance or based on criminal activity
4 that occurred at a property; and

5 “(2) certify that they are in compliance with
6 the protections under this subtitle or describe the
7 steps they will take within 180 days to come into
8 compliance, or to ensure compliance among sub-
9 grantees.

10 “(c) OVERSIGHT.—Oversight and accountability
11 mechanisms provided for under title VIII of the Civil
12 Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall be avail-
13 able to address violations of this section.

14 “(d) DEFINITION.—For purposes of this section,
15 ‘covered governmental entity’ shall mean any municipal,
16 county, or state government that receives funding pursu-
17 ant to section 106 of the Housing and Community Devel-
18 opment Act of 1974 (42 U.S.C. 5306).

19 “(e) SUBGRANTEES.—For those covered govern-
20 mental entities that distribute funds to subgrantees, com-
21 pliance with subsection (b)(1) includes inquiring about the
22 existence of laws and policies adopted by subgrantees that
23 impose penalties on landlords, homeowners, residents, oc-
24 cupants, guests, or housing applicants based on requests

1 for law enforcement or emergency assistance or based on
2 criminal activity that occurred at a property.”.

3 (b) SUPPORTING EFFECTIVE, ALTERNATIVE CRIME
4 REDUCTION METHODS.—

5 (1) ADDITIONAL AUTHORIZED USE OF BYRNE-
6 JAG FUNDS.—Section 501(a)(1) of subpart 1 of part
7 E of title I of the Omnibus Crime Control and Safe
8 Streets Act of 1968 (34 U.S.C. 10152(a)(1)) is
9 amended by adding after subparagraph (H) the fol-
10 lowing:

11 “(I) Programs for the development and im-
12 plementation of alternative methods of reducing
13 crime in communities, to supplant punitive pro-
14 grams or policies. For purposes of this subpara-
15 graph, a punitive program or policy is a pro-
16 gram or policy that (i) imposes a penalty on a
17 victim of domestic violence, dating violence, sex-
18 ual assault, or stalking, on the basis of a re-
19 quest by the victim for law enforcement or
20 emergency assistance; or (ii) imposes a penalty
21 on such a victim because of criminal activity at
22 the property in which the victim resides.”.

23 (2) ADDITIONAL AUTHORIZED USE OF COPS
24 FUNDS.—Section 1701(b) of part Q of title I of the

1 Omnibus Crime Control and Safe Streets Act of
2 1968 (34 U.S.C. 10381(b)) is amended—

3 (A) in paragraph (22), by striking “and”
4 after the semicolon;

5 (B) in paragraph (23), by striking the pe-
6 riod at the end and inserting “; and”; and

7 (C) by adding at the end the following:

8 “(24) to develop and implement alternative
9 methods of reducing crime in communities, to sup-
10 plant punitive programs or policies (as such term is
11 defined in section 501(a)(1)(I)).”

12 (3) ADDITIONAL AUTHORIZED USE OF GRANTS
13 TO ENCOURAGE ARREST POLICIES.—Section 2101(b)
14 of part U of title I of the Omnibus Crime Control
15 and Safe Streets Act of 1968 (34 U.S.C. 10461(b)),
16 as amended by this Act, is further amended by add-
17 ing at the end the following:

18 “(25) To develop and implement alternative
19 methods of reducing crime in communities, to sup-
20 plant punitive programs or policies. For purposes of
21 this paragraph, a punitive program or policy is a
22 program or policy that (A) imposes a penalty on a
23 victim of domestic violence, dating violence, sexual
24 assault, or stalking, on the basis of a request by the
25 victim for law enforcement or emergency assistance;

1 or (B) imposes a penalty on such a victim because
2 of criminal activity at the property in which the vic-
3 tim resides.”.

4 **SEC. 604. TRANSITIONAL HOUSING ASSISTANCE GRANTS**
5 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
6 **ING VIOLENCE, SEXUAL ASSAULT, OR STALK-**
7 **ING.**

8 Section 40299 of the Violence Against Women Act
9 of 1994 (34 U.S.C. 12351) is amended—

10 (1) in subsection (a), in the matter preceding
11 paragraph (1)—

12 (A) by striking “the Director of the Vio-
13 lence Against Women Office” and inserting
14 “the Director of the Office on Violence Against
15 Women”; and

16 (B) by inserting after “, other nonprofit,
17 nongovernmental organizations” the following:
18 “, population-specific organizations”; and

19 (2) in subsection (g)—

20 (A) in paragraph (1), by striking “2014
21 through 2018” and inserting “2020 through
22 2024”;

23 (B) in paragraph (2), by striking “5 per-
24 cent” and inserting “8 percent”; and

1 (C) in paragraph (3)(B), by striking “0.25
2 percent” and inserting “0.5 percent”.

3 **SEC. 605. ADDRESSING THE HOUSING NEEDS OF VICTIMS**
4 **OF DOMESTIC VIOLENCE, DATING VIOLENCE,**
5 **SEXUAL ASSAULT, AND STALKING.**

6 (a) **MCKINNEY-VENTO HOMELESS ASSISTANCE**
7 **GRANTS.**—Section 423(a) of the McKinney-Vento Home-
8 less Assistance Act (42 U.S.C. 11383(a)) is amended by
9 adding at the end the following:

10 “(13) Facilitating and coordinating activities to
11 ensure compliance with section 41411(e) of the Vio-
12 lence Against Women Act of 1994, including, in con-
13 sultation with the regional office (if applicable) of
14 the appropriate agency (as such term is defined in
15 section 41411 of the Violence Against Women Act of
16 1994), development of external transfer memoranda
17 of understanding between covered housing providers,
18 participating in the local Continua of Care, facilita-
19 tion of external transfers between those covered
20 housing providers participating in the local Continua
21 of Care, and monitoring compliance with the con-
22 fidentiality protections of section 41411(c)(4) of the
23 Violence Against Women Act of 1994 for reporting
24 to that regional office.”

1 (b) DEFINITION OF DOMESTIC VIOLENCE AND
2 OTHER DANGEROUS OR LIFE-THREATENING CONDITIONS
3 AMENDED.—Section 103(b) of the McKinney-Vento
4 Homeless Assistance Act (42 U.S.C. 11302(b)) is amend-
5 ed to read as follows:

6 “(b) DOMESTIC VIOLENCE AND OTHER DANGEROUS
7 OR LIFE-THREATENING CONDITIONS.—Notwithstanding
8 any other provision of this section, the Secretary shall con-
9 sider to be homeless any individual or family who—

10 “(1) is fleeing, or attempting to flee, domestic
11 violence, dating violence, sexual assault, stalking,
12 and who have no other residence and lack resources
13 to obtain other permanent housing; or

14 “(2) is fleeing or attempting to flee a dangerous
15 or life-threatening condition in the individual’s or
16 family’s current housing situation, including where
17 the health and safety of children are jeopardized and
18 who have no other residence and lack the resources
19 or support networks to obtain other permanent
20 housing.”.

21 (c) COLLABORATIVE GRANTS TO INCREASE THE
22 LONG-TERM STABILITY OF VICTIMS.—Section 41404(i)
23 of the Violence Against Women Act of 1994 (34 U.S.C.
24 12474(i)) is amended by striking “2014 through 2018”
25 and inserting “2020 through 2024”.

1 (d) GRANTS TO COMBAT VIOLENCE AGAINST
2 WOMEN IN PUBLIC AND ASSISTED HOUSING.—Section
3 41405 of the Violence Against Women Act of 1994 (34
4 U.S.C. 12475) is amended—

5 (1) in subsection (b), by striking “the Director
6 of the Violence Against Women Office” and insert-
7 ing “the Director of the Office on Violence Against
8 Women”;

9 (2) in subsection (c)(2)(D), by inserting after
10 “linguistically and culturally specific service pro-
11 viders,” the following: “population-specific organiza-
12 tions,”; and

13 (3) in subsection (g), by striking “2014 through
14 2018” and inserting the following: “2020 through
15 2024”.

16 **SEC. 606. UNITED STATES HOUSING ACT OF 1937 AMEND-**
17 **MENTS.**

18 Section 5A(d) of the United States Housing Act of
19 1937 (42 U.S.C. 1437c-1(d)) is amended—

20 (1) by amending paragraph (13) to read as fol-
21 lows:

22 “(13) DOMESTIC VIOLENCE, DATING VIOLENCE,
23 SEXUAL ASSAULT, OR STALKING PROGRAMS.—

24 “(A) COPIES.—A copy of—

1 “(i) all standardized notices issued
2 pursuant to the housing protections under
3 subtitle N of the Violence Against Women
4 Act of 1994, including the notice required
5 under section 41411(d) of the Violence
6 Against Women Act of 1994;

7 “(ii) the emergency transfer plan
8 issued pursuant to section 41411 of the
9 Violence Against Women Act of 1994; and

10 “(iii) any and all memoranda of un-
11 derstanding with other covered housing
12 providers developed to facilitate emergency
13 transfers under section 41411(e) of the Vi-
14 olence Against Women Act of 1994.

15 “(B) DESCRIPTIONS.—A description of—

16 “(i) any activities, services, or pro-
17 grams provided or offered by an agency, ei-
18 ther directly or in partnership with other
19 service providers, to child or adult victims
20 of domestic violence, dating violence, sex-
21 ual assault, or stalking;

22 “(ii) any activities, services, or pro-
23 grams provided or offered by a public
24 housing agency that helps child and adult
25 victims of domestic violence, dating vio-

1 lence, sexual assault, or stalking, to obtain
2 or maintain housing;

3 “(iii) any activities, services, or pro-
4 grams provided or offered by a public
5 housing agency to prevent domestic vio-
6 lence, dating violence, sexual assault, and
7 stalking, or to enhance victim safety in as-
8 sisted families; and

9 “(iv) all training and support services
10 offered to staff of the public housing agen-
11 cy to provide a basic understanding of do-
12 mestic violence, dating violence, sexual as-
13 sult, and stalking, and to facilitate imple-
14 mentation of the housing protections of
15 section 41411 of the Violence Against
16 Women Act of 1994.”; and

17 (2) in paragraph (16), by inserting “the Vio-
18 lence Against Women Act of 1994,” before “the
19 Fair Housing Act”.

20 **TITLE VII—ECONOMIC SECURITY**
21 **FOR VICTIMS**

22 **SEC. 701. FINDINGS.**

23 Congress finds the following:

24 (1) Over 1 in 3 women experience sexual vio-
25 lence, and 1 in 5 women have survived completed or

1 attempted rape. Such violence has a devastating im-
2 pact on women's physical and emotional health, fi-
3 nancial security, and ability to maintain their jobs,
4 and thus impacts interstate commerce and economic
5 security.

6 (2) The Office on Violence Against Women of
7 the Department of Justice defines domestic violence
8 as a pattern of abusive behavior in any relationship
9 that is used by one intimate partner to gain or
10 maintain power and control over another intimate
11 partner. Domestic violence can include physical, sex-
12 ual, emotional, economic, or psychological actions or
13 threats of actions that influence another person. Do-
14 mestic violence includes any behaviors that intimi-
15 date, manipulate, humiliate, isolate, frighten, ter-
16 rorize, coerce, threaten, blame, hurt, injure, or
17 wound an individual.

18 (3) The Centers for Disease Control and Pre-
19 vention report that domestic violence or intimate
20 partner violence is a serious public health issue for
21 millions of individuals in the United States. Nearly
22 1 in 4 women and 1 in 9 men in the United States
23 have suffered sexual violence, physical violence, or
24 stalking by an intimate partner.

1 (4) Transgender and gender non-conforming
2 people face extraordinary levels of physical and sex-
3 ual violence.

4 (5) More than 1 in 4 transgender people have
5 faced bias-driven assault, and this rate is higher for
6 trans women and trans people of color.

7 (6) The American Foundation for Suicide Pre-
8 vention has found that transgender and gender non-
9 conforming people had an elevated prevalence of sui-
10 cide attempts, especially when they have suffered
11 physical or sexual violence.

12 (7) Homicide is one of the leading causes of
13 death for women on the job. Domestic partners or
14 relatives commit 43 percent of workplace homicides
15 against women. One study found that intimate part-
16 ner violence resulted in 142 homicides among women
17 at work in the United States from 2003 to 2008, a
18 figure which represents 22 percent of the 648 work-
19 place homicides among women during the period. In
20 fact, in 2010, homicides against women at work in-
21 creased by 13 percent despite continuous declines in
22 overall workplace homicides in recent years.

23 (8) Women in the United States are 11 times
24 more likely to be murdered with guns than women
25 in other high-income countries. Female intimate

1 partners are more likely to be murdered with a fire-
2 arm than all other means combined. The presence of
3 a gun in domestic violence situations increases the
4 risk of homicide for women by 500 percent.

5 (9) Violence can have a dramatic impact on the
6 survivor of such violence. Studies indicate that 44
7 percent of surveyed employed adults experienced the
8 effect of domestic violence in the workplace, and 64
9 percent indicated their workplace performance was
10 affected by such violence. Another recent survey
11 found that 78 percent of offenders used workplace
12 resources to express anger, check up on, pressure, or
13 threaten a survivor. Sexual assault, whether occur-
14 ring in or out of the workplace, can impair an em-
15 ployee's work performance, require time away from
16 work, and undermine the employee's ability to main-
17 tain a job. Nearly 50 percent of sexual assault sur-
18 vivors lose their jobs or are forced to quit in the
19 aftermath of the assaults.

20 (10) Studies find that 60 percent of single
21 women lack economic security and 81 percent of
22 households with single mothers live in economic inse-
23 curity. Significant barriers that survivors confront
24 include access to housing, transportation, and child
25 care. Ninety-two percent of homeless women have

1 experienced domestic violence, and more than 50
2 percent of such women cite domestic violence as the
3 direct cause for homelessness. Survivors are deprived
4 of their autonomy, liberty, and security, and face
5 tremendous threats to their health and safety.

6 (11) The Centers for Disease Control and Pre-
7 vention report that survivors of severe intimate part-
8 ner violence lose nearly 8 million days of paid work,
9 which is the equivalent of more than 32,000 full-
10 time jobs and almost 5,600,000 days of household
11 productivity each year. Therefore, women dispropor-
12 tionately need time off to care for their health or to
13 find safety solutions, such as obtaining a restraining
14 order or finding housing, to avoid or prevent further
15 violence.

16 (12) Annual costs of intimate partner violence
17 are estimated to be more than \$8,300,000,000. Ac-
18 cording to the Centers for Disease Control and Pre-
19 vention, the costs of intimate partner violence
20 against women in 1995 exceeded an estimated
21 \$5,800,000,000. These costs included nearly
22 \$4,100,000,000 in the direct costs of medical and
23 mental health care and nearly \$1,800,000,000 in the
24 indirect costs of lost productivity. These statistics
25 are generally considered to be underestimated be-

1 cause the costs associated with the criminal justice
2 system are not included.

3 (13) Fifty-five percent of senior executives re-
4 cently surveyed said domestic violence has a harmful
5 effect on their company's productivity, and more
6 than 70 percent said domestic violence negatively af-
7 fects attendance. Seventy-eight percent of human re-
8 sources professionals consider partner violence a
9 workplace issue. However, more than 70 percent of
10 United States workplaces have no formal program or
11 policy that addresses workplace violence, let alone
12 domestic violence. In fact, only four percent of em-
13 ployers provided training on domestic violence.

14 (14) Studies indicate that one of the best pre-
15 dictors of whether a survivor will be able to stay
16 away from his or her abuser is the degree of his or
17 her economic independence. However, domestic vio-
18 lence, dating violence, sexual assault, and stalking
19 often negatively impact a survivor's ability to main-
20 tain employment.

21 (15) Abusers frequently seek to exert financial
22 control over their partners by actively interfering
23 with their ability to work, including preventing their
24 partners from going to work, harassing their part-
25 ners at work, limiting their partners' access to cash

1 or transportation, and sabotaging their partners'
2 child care arrangements.

3 (16) Economic abuse refers to behaviors that
4 control an intimate partner's ability to acquire, use,
5 and maintain access to, money, credit, ownership of
6 assets, or access to governmental or private financial
7 benefits, including defaulting on joint obligations
8 (such as school loans, credit card debt, mortgages,
9 or rent). Other forms of such abuse may include pre-
10 venting someone from attending school, threatening
11 to or actually terminating employment, controlling
12 or withholding access to cash, checking, or credit ac-
13 counts, and attempting to damage or sabotage the
14 creditworthiness of an intimate partner, including
15 forcing an intimate partner to write bad checks,
16 forcing an intimate partner to default on payments
17 related to household needs, such as housing, or fore-
18 ing an intimate partner into bankruptcy.

19 (17) The Patient Protection and Affordable
20 Care Act (Public Law 111-148), and the amend-
21 ments made by such Act, ensures that most health
22 plans must cover preventive services, including
23 screening and counseling for domestic violence, at no
24 additional cost. In addition, it prohibits insurance

1 companies from discriminating against patients for
2 preexisting conditions, like domestic violence.

3 (18) Yet, more can be done to help survivors.
4 Federal law in effect on the day before the date of
5 enactment of this Act does not explicitly—

6 (A) authorize survivors of domestic vio-
7 lence, dating violence, sexual assault, or stalk-
8 ing to take leave from work to seek legal assist-
9 ance and redress, counseling, or assistance with
10 safety planning activities;

11 (B) address the eligibility of survivors of
12 domestic violence, dating violence, sexual as-
13 sault, or stalking for unemployment compensa-
14 tion;

15 (C) provide job protection to survivors of
16 domestic violence, dating violence, sexual as-
17 sault, or stalking;

18 (D) prohibit insurers and employers who
19 self-insure employee benefits from discrimi-
20 nating against survivors of domestic violence,
21 dating violence, sexual assault, or stalking and
22 those who help them in determining eligibility,
23 rates charged, and standards for payment of
24 claims; or

1 (E) prohibit insurers from disclosing infor-
2 mation about abuse and the location of the sur-
3 vivors through insurance databases and other
4 means.

5 (19) This Act aims to empower survivors of do-
6 mestic violence, dating violence, sexual assault, or
7 stalking to be free from violence, hardship, and con-
8 trol, which restrains basic human rights to freedom
9 and safety in the United States.

10 **SEC. 702. NATIONAL RESOURCE CENTER ON WORKPLACE**
11 **RESPONSES TO ASSIST VICTIMS OF DOMES-**
12 **TIC AND SEXUAL VIOLENCE.**

13 Section 41501 of the Violent Crime Control and Law
14 Enforcement Act of 1994 (34 U.S.C. 12501) is amend-
15 ed—

16 (1) in subsection (a)—

17 (A) by inserting “and sexual harassment”
18 after “domestic and sexual violence”; and

19 (B) by striking “employers and labor orga-
20 nizations” and inserting “employers, labor or-
21 ganizations, and victim service providers”;

22 (2) in subsection (b)(3), by striking “and stalk-
23 ing” and inserting “stalking, and sexual harass-
24 ment”;

1 (3) in subsection (c)(1), by inserting before the
2 period at the end “or sexual harassment”;

3 (4) in subsection (c)(2)(A), by inserting “or
4 sexual harassment” after “sexual violence”; and

5 (5) in subsection (e), by striking “\$1,000,000
6 for each of fiscal years 2014 through 2018” and in-
7 serting “\$2,000,000 for each of fiscal years 2020
8 through 2024”.

9 **SEC. 703. ENTITLEMENT TO UNEMPLOYMENT COMPENSA-**
10 **TION FOR VICTIMS OF SEXUAL AND OTHER**
11 **HARASSMENT AND SURVIVORS OF DOMESTIC**
12 **VIOLENCE, SEXUAL ASSAULT, OR STALKING.**

13 (a) UNEMPLOYMENT COMPENSATION.—

14 (1) Section 3304(a) of the Internal Revenue
15 Code of 1986 is amended by striking “and” at the
16 end of paragraph (18), by redesignating paragraph
17 (19) as paragraph (20), and by inserting after para-
18 graph (18) the following new paragraph:

19 “(19) no person may be denied compensation
20 under such State law solely on the basis of the indi-
21 vidual having a voluntary separation from work if
22 such separation is attributable to such individual
23 being a victim of sexual or other harassment or a
24 survivor of domestic violence, sexual assault, or
25 stalking; and”.

1 (2) Section 3304 of the Internal Revenue Code
2 of 1986 is amended by adding at the end the fol-
3 lowing new subsection:

4 “(g) SEXUAL OR OTHER HARASSMENT; ETC.—

5 “(1) DOCUMENTATION.—For purposes of sub-
6 section (a)(19), a voluntary separation of an indi-
7 vidual shall be considered to be attributable to such
8 individual being a survivor or victim of sexual or
9 other harassment or a survivor of domestic violence,
10 sexual assault, or stalking if such individual submits
11 such evidence as the State deems sufficient.

12 “(2) SUFFICIENT DOCUMENTATION.—For pur-
13 poses of paragraph (1), a State shall deem suffi-
14 cient, at a minimum—

15 “(A) evidence of such harassment, violence,
16 assault, or stalking in the form of—

17 “(i) a sworn statement and a form of
18 identification;

19 “(ii) a police or court record; or

20 “(iii) documentation from a victim
21 service provider, an attorney, a police offi-
22 cer, a medical professional, a social worker,
23 an antiviolence counselor, a member of the
24 clergy, or another professional; and

1 “(B) an attestation that such voluntary
2 separation is attributable to such harassment,
3 violence, assault, or stalking.

4 “(3) DEFINITIONS.—For purposes of this sec-
5 tion—

6 “(A) The terms ‘domestic violence’, ‘sexual
7 assault’, ‘stalking’, ‘victim of sexual or other
8 harassment’, and ‘survivor of domestic violence,
9 sexual assault, or stalking’ have the meanings
10 given such terms under State law, regulation,
11 or policy.

12 “(B) The term ‘victim service provider’ has
13 the meaning given such term in section 40002
14 of the Violence Against Women Act of 1994.”.

15 (b) UNEMPLOYMENT COMPENSATION PERSONNEL
16 TRAINING.—Section 303(a) of the Social Security Act (42
17 U.S.C. 503(a)) is amended—

18 (1) by redesignating paragraphs (4) through
19 (12) as paragraphs (5) through (13), respectively;
20 and

21 (2) by inserting after paragraph (3) the fol-
22 lowing new paragraph:

23 “(4)(A) Such methods of administration as will
24 ensure that—

1 “(i) applicants for unemployment com-
2 pensation and individuals inquiring about such
3 compensation are notified of the provisions of
4 section 3304(a)(19) of the Internal Revenue
5 Code of 1986; and

6 “(ii) claims reviewers and hearing per-
7 sonnel are trained in—

8 “(I) the nature and dynamics of sex-
9 ual and other harassment, domestic vio-
10 lence, sexual assault, or stalking; and

11 “(II) methods of ascertaining and
12 keeping confidential information about pos-
13 sible experiences of sexual and other har-
14 assment, domestic violence, sexual assault,
15 or stalking to ensure that—

16 “(aa) requests for unemployment
17 compensation based on separations
18 stemming from sexual and other har-
19 assment, domestic violence, sexual as-
20 sault, or stalking are identified and
21 adjudicated; and

22 “(bb) confidentiality is provided
23 for the individual’s claim and sub-
24 mitted evidence.

25 “(B) For purposes of this paragraph—

1 “(i) the terms ‘domestic violence’, ‘sexual
2 assault’, and ‘stalking’ have the meanings given
3 such terms in section 40002 of the Violence
4 Against Women Act of 1994;

5 “(ii) the term ‘sexual and other harass-
6 ment’ has the meaning given such term under
7 State law, regulation, or policy; and

8 “(iii) the term ‘survivor of domestic vio-
9 lence, sexual assault, or stalking’ means—

10 “(I) a person who has experienced or
11 is experiencing domestic violence, sexual
12 assault, or stalking; and

13 “(II) a person whose family or house-
14 hold member has experienced or is experi-
15 encing domestic violence, sexual assault, or
16 stalking.”.

17 (c) TANF PERSONNEL TRAINING.—Section 402(a)
18 of the Social Security Act (42 U.S.C. 602(a)) is amended
19 by adding at the end the following new paragraph:

20 “(8) CERTIFICATION THAT THE STATE WILL
21 PROVIDE INFORMATION TO SURVIVORS OF SEXUAL
22 AND OTHER HARASSMENT, DOMESTIC VIOLENCE,
23 SEXUAL ASSAULT, OR STALKING.—

24 “(A) IN GENERAL.—A certification by the
25 chief executive officer of the State that the

1 State has established and is enforcing stand-
2 ards and procedures to—

3 “(i) ensure that applicants for assist-
4 ance under the State program funded
5 under this part and individuals inquiring
6 about such assistance are adequately noti-
7 fied of—

8 “(I) the provisions of section
9 3304(a)(19) of the Internal Revenue
10 Code of 1986; and

11 “(II) assistance made available
12 by the State to survivors of sexual
13 and other harassment, domestic vio-
14 lence, sexual assault, or stalking;

15 “(ii) ensure that case workers and
16 other agency personnel responsible for ad-
17 ministering the State program funded
18 under this part are adequately trained in—

19 “(I) the nature and dynamics of
20 sexual and other harassment, domes-
21 tic violence, sexual assault, or stalk-
22 ing;

23 “(II) State standards and proce-
24 dures relating to the prevention of,
25 and assistance for individuals who are

1 survivors of sexual and other harass-
2 ment, domestic violence, sexual as-
3 sault, or stalking; and

4 “(III) methods of ascertaining
5 and keeping confidential information
6 about possible experiences of sexual
7 and other harassment, domestic vio-
8 lence, sexual assault, or stalking;

9 “(iii) ensure that, if a State has elect-
10 ed to establish and enforce standards and
11 procedures regarding the screening for,
12 and identification of, domestic violence
13 pursuant to paragraph (7)—

14 “(I) applicants for assistance
15 under the State program funded
16 under this part and individuals inquir-
17 ing about such assistance are ade-
18 quately notified of options available
19 under such standards and procedures;
20 and

21 “(II) case workers and other
22 agency personnel responsible for ad-
23 ministering the State program funded
24 under this part are provided with ade-
25 quate training regarding such stand-

1 ards and procedures and options
2 available under such standards and
3 procedures; and

4 “(iv) ensure that the training required
5 under subparagraphs (B) and, if applica-
6 ble, (C)(ii) is provided through a training
7 program operated by an eligible entity.

8 “(B) DEFINITIONS.—For purposes of this
9 paragraph—

10 “(i) the terms ‘domestic violence’,
11 ‘sexual assault’, and ‘stalking’ have the
12 meanings given such terms in section
13 40002 of the Violence Against Women Act
14 of 1994;

15 “(ii) the term ‘sexual and other har-
16 assment’ has the meaning given such term
17 under State law, regulation, or policy; and

18 “(iii) the term ‘survivor of domestic
19 violence, sexual assault, or stalking’
20 means—

21 “(I) a person who has experi-
22 enced or is experiencing domestic vio-
23 lence, sexual assault, or stalking; and

24 “(II) a person whose family or
25 household member has experienced or

1 is experiencing domestic violence, sexual
2 assault, or stalking.”.

3 (d) SEXUAL AND OTHER HARASSMENT, DOMESTIC
4 VIOLENCE, SEXUAL ASSAULT, OR STALKING TRAINING
5 GRANT PROGRAM.—

6 (1) GRANTS AUTHORIZED.—The Secretary of
7 Labor (in this subsection referred to as the “Sec-
8 retary”) is authorized to award—

9 (A) a grant to a national victim service
10 provider in order for such organization to—

11 (i) develop and disseminate a model
12 training program (and related materials)
13 for the training required under section
14 303(a)(4)(B) of the Social Security Act, as
15 added by subsection (b), and under sub-
16 paragraph (B) and, if applicable, subpara-
17 graph (C)(ii) of section 402(a)(8) of such
18 Act, as added by subsection (c); and

19 (ii) provide technical assistance with
20 respect to such model training program,
21 including technical assistance to the tem-
22 porary assistance for needy families pro-
23 gram and unemployment compensation
24 personnel; and

1 (B) grants to State, tribal, or local agen-
2 cies in order for such agencies to contract with
3 eligible entities to provide State, tribal, or local
4 caseworkers and other State, tribal, or local
5 agency personnel responsible for administering
6 the temporary assistance for needy families pro-
7 gram established under part A of title IV of the
8 Social Security Act in a State or Indian res-
9 ervation with the training required under sub-
10 paragraph (B) and, if applicable, subparagraph
11 (C)(ii) of such section 402(a)(8).

12 (2) ELIGIBLE ENTITY DEFINED.—For purposes
13 of paragraph (1)(B), the term “eligible entity”
14 means an entity—

15 (A) that is—

16 (i) a State or tribal domestic violence
17 coalition or sexual assault coalition;

18 (ii) a State or local victim service pro-
19 vider with recognized expertise in the dy-
20 namics of domestic violence, sexual assault,
21 or stalking whose primary mission is to
22 provide services to survivors of domestic vi-
23 olence, sexual assault, or stalking, includ-
24 ing a rape crisis center or domestic vio-
25 lence program; or

1 (iii) an organization with dem-
2 onstrated expertise in State or county wel-
3 fare laws and implementation of such laws
4 and experience with disseminating informa-
5 tion on such laws and implementation, but
6 only if such organization will provide the
7 required training in partnership with an
8 entity described in clause (i) or (ii); and
9 (B) that—

10 (i) has demonstrated expertise in the
11 dynamics of both domestic violence and
12 sexual assault, such as a joint domestic vi-
13 olence and sexual assault coalition; or

14 (ii) will provide the required training
15 in partnership with an entity described in
16 clause (i) or (ii) of subparagraph (A) in
17 order to comply with the dual domestic vio-
18 lence and sexual assault expertise require-
19 ment under clause (i).

20 (3) APPLICATION.—An entity seeking a grant
21 under this subsection shall submit an application to
22 the Secretary at such time, in such form and man-
23 ner, and containing such information as the Sec-
24 retary specifies.

25 (4) REPORTS.—

1 (A) REPORTS TO CONGRESS.—Not later
2 than a year after the date of the enactment of
3 this Act, and annually thereafter, the Secretary
4 shall submit to Congress a report on the grant
5 program established under this subsection.

6 (B) REPORTS AVAILABLE TO PUBLIC.—
7 The Secretary shall establish procedures for the
8 dissemination to the public of each report sub-
9 mitted under subparagraph (A). Such proce-
10 dures shall include the use of the internet to
11 disseminate such reports.

12 (5) AUTHORIZATION OF APPROPRIATIONS.—

13 (A) IN GENERAL.—There are authorized to
14 be appropriated—

15 (i) \$1,000,000 for fiscal year 2020 to
16 carry out the provisions of paragraph
17 (1)(A); and

18 (ii) \$12,000,000 for each of fiscal
19 years 2020 through 2024 to carry out the
20 provisions of paragraph (1)(B).

21 (B) THREE-YEAR AVAILABILITY OF GRANT
22 FUNDS.—Each recipient of a grant under this
23 subsection shall return to the Secretary any un-
24 used portion of such grant not later than 3
25 years after the date the grant was awarded, to-

1 gether with any earnings on such unused por-
2 tion.

3 (C) AMOUNTS RETURNED.—Any amounts
4 returned pursuant to subparagraph (B) shall be
5 available without further appropriation to the
6 Secretary for the purpose of carrying out the
7 provisions of paragraph (1)(B).

8 (e) EFFECT ON EXISTING LAWS, ETC.—

9 (1) MORE PROTECTIVE LAWS, AGREEMENTS,
10 PROGRAMS, AND PLANS.—Nothing in this title shall
11 be construed to supersede any provision of any Fed-
12 eral, State, or local law, collective bargaining agree-
13 ment, or employment benefits program or plan that
14 provides greater unemployment insurance benefits
15 for survivors of sexual and other harassment, domes-
16 tic violence, sexual assault, or stalking than the
17 rights established under this title.

18 (2) LESS PROTECTIVE LAWS, AGREEMENTS,
19 PROGRAMS, AND PLANS.—Any law, collective bar-
20 gaining agreement, or employment benefits program
21 or plan of a State or unit of local government is pre-
22 empted to the extent that such law, agreement, or
23 program or plan would impair the exercise of any
24 right established under this title or the amendments
25 made by this title.

1 (f) EFFECTIVE DATE.—

2 (1) UNEMPLOYMENT AMENDMENTS.—

3 (A) IN GENERAL.—Except as provided in
4 subparagraph (B) and paragraph (2), the
5 amendments made by this section shall apply in
6 the case of compensation paid for weeks begin-
7 ning on or after the expiration of the 180-day
8 period beginning on the date of enactment of
9 this Act.

10 (B) EXTENSION OF EFFECTIVE DATE FOR
11 STATE LAW AMENDMENT.—

12 (i) IN GENERAL.—Except as provided
13 in paragraph (2), in a case in which the
14 Secretary of Labor identifies a State as re-
15 quiring a change to its statutes, regula-
16 tions, or policies in order to comply with
17 the amendments made by this section, such
18 amendments shall apply in the case of
19 compensation paid for weeks beginning
20 after the earlier of—

21 (I) the date the State changes its
22 statutes, regulations, or policies in
23 order to comply with such amend-
24 ments; or

1 (II) the end of the first session of
2 the State legislature which begins
3 after the date of enactment of this
4 Act or which began prior to such date
5 and remained in session for at least
6 25 calendar days after such date, ex-
7 cept that in no case shall such amend-
8 ments apply before the date that is
9 180 days after the date of enactment
10 of this Act.

11 (ii) SESSION DEFINED.—In this sub-
12 paragraph, the term “session” means a
13 regular, special, budget, or other session of
14 a State legislature.

15 (2) TANF AMENDMENT.—

16 (A) IN GENERAL.—Except as provided in
17 subparagraph (B), the amendment made by
18 subsection (c) shall take effect on the date of
19 enactment of this Act.

20 (B) EXTENSION OF EFFECTIVE DATE FOR
21 STATE LAW AMENDMENT.—In the case of a
22 State plan under part A of title IV of the Social
23 Security Act which the Secretary of Health and
24 Human Services determines requires State ac-
25 tion (including legislation, regulation, or other

1 administrative action) in order for the plan to
2 meet the additional requirements imposed by
3 the amendment made by subsection (c), the
4 State plan shall not be regarded as failing to
5 comply with the requirements of such amend-
6 ment on the basis of its failure to meet these
7 additional requirements before the first day of
8 the first calendar quarter beginning after the
9 close of the first regular session of the State
10 legislature that begins after the date of enact-
11 ment of this Act. For purposes of the previous
12 sentence, in the case of a State that has a 2-
13 year legislative session, each year of the session
14 is considered to be a separate regular session of
15 the State legislature.

16 (g) DEFINITIONS.—In this section, the terms “do-
17 mestic violence”, “sexual assault”, “stalking”, “survivor
18 of domestic violence, sexual assault, or stalking”, and “vic-
19 tim service provider” have the meanings given such terms
20 in section 3304(g) of the Internal Revenue Code of 1986.

21 **SEC. 704. STUDY AND REPORTS ON BARRIERS TO SUR-**
22 **VIVORS' ECONOMIC SECURITY ACCESS.**

23 (a) STUDY.—The Secretary of Health and Human
24 Services, in consultation with the Secretary of Labor, shall
25 conduct a study on the barriers that survivors of domestic

1 violence, dating violence, sexual assault, or stalking
2 throughout the United States experience in maintaining
3 economic security as a result of issues related to domestic
4 violence, dating violence, sexual assault, or stalking.

5 (b) REPORTS.—Not later than 1 year after the date
6 of enactment of this title, and every 5 years thereafter,
7 the Secretary of Health and Human Services, in consulta-
8 tion with the Secretary of Labor, shall submit a report
9 to Congress on the study conducted under subsection (a).

10 (c) CONTENTS.—The study and reports under this
11 section shall include—

12 (1) identification of geographic areas in which
13 State laws, regulations, and practices have a strong
14 impact on the ability of survivors of domestic vio-
15 lence, dating violence, sexual assault, or stalking to
16 exercise—

17 (A) any rights under this Act without com-
18 promising personal safety or the safety of oth-
19 ers, including family members and excluding
20 the abuser; and

21 (B) other components of economic security,
22 including financial empowerment, affordable
23 housing, transportation, healthcare access, and
24 quality education and training opportunities;

1 (2) identification of geographic areas with
2 shortages in resources for such survivors, with an
3 accompanying analysis of the extent and impact of
4 such shortage;

5 (3) analysis of factors related to industries,
6 workplace settings, employer practices, trends, and
7 other elements that impact the ability of such sur-
8 vivors to exercise any rights under this Act without
9 compromising personal safety or the safety of others,
10 including family members;

11 (4) the recommendations of the Secretary of
12 Health and Human Services and the Secretary of
13 Labor with respect to resources, oversight, and en-
14 forcement tools to ensure successful implementation
15 of the provisions of this Act in order to support the
16 economic security and safety of survivors of domestic
17 violence, dating violence, sexual assault, or stalking;
18 and

19 (5) best practices for States, employers, health
20 carriers, insurers, and other private entities in ad-
21 dressing issues related to domestic violence, dating
22 violence, sexual assault, or stalking.

23 **SEC. 705. GAO STUDY.**

24 Not later than 18 months after the date of enactment
25 of this Act, the Comptroller General of the United States

1 shall submit to the Committee on Health, Education,
2 Labor, and Pensions of the Senate a report that examines,
3 with respect to survivors of domestic violence, dating vio-
4 lence, sexual assault, or stalking who are, or were, enrolled
5 at institutions of higher education and borrowed a loan
6 made, insured, or guaranteed under title IV of the Higher
7 Education Act of 1965 (20 U.S.C. 1070 et seq.) for which
8 the survivors have not repaid the total interest and prin-
9 cipal due, each of the following:

10 (1) The implications of domestic violence, dat-
11 ing violence, sexual assault, or stalking on a bor-
12 rower's ability to repay their Federal student loans.

13 (2) The adequacy of policies and procedures re-
14 garding Federal student loan deferment, forbear-
15 ance, and grace periods when a survivor has to sus-
16 pend or terminate the survivor's enrollment at an in-
17 stitution of higher education due to domestic vio-
18 lence, dating violence, sexual assault, or stalking.

19 (3) The adequacy of institutional policies and
20 practices regarding retention or transfer of credits
21 when a survivor has to suspend or terminate the
22 survivor's enrollment at an institution of higher edu-
23 cation due to domestic violence, dating violence, sex-
24 ual assault, or stalking.

1 (4) The availability or any options for a sur-
2 vivor of domestic violence, dating violence, sexual as-
3 sault, or stalking who attended an institution of
4 higher education that committed unfair, deceptive,
5 or abusive acts or practices, or otherwise substan-
6 tially misrepresented information to students, to be
7 able to seek a defense to repayment of the survivor's
8 Federal student loan.

9 (5) The limitations faced by a survivor of do-
10 mestic violence, dating violence, sexual assault, or
11 stalking to obtain any relief or restitution on the
12 survivor's Federal student loan debt due to the use
13 of forced arbitration, gag orders, or bans on class
14 actions.

15 **SEC. 706. EDUCATION AND INFORMATION PROGRAMS FOR**
16 **SURVIVORS.**

17 (a) **PUBLIC EDUCATION CAMPAIGN.—**

18 (1) **IN GENERAL.—**The Secretary of Labor, in
19 conjunction with the Secretary of Health and
20 Human Services (through the Director of the Cen-
21 ters for Disease Control and Prevention and the
22 grant recipient under section 41501 of the Violence
23 Against Women Act of 1994 that establishes the na-
24 tional resource center on workplace responses to as-
25 sist victims of domestic and sexual violence) and the

1 Attorney General (through the Principal Deputy Di-
2 rector of the Office on Violence Against Women),
3 shall coordinate and provide for a national public
4 outreach and education campaign to raise public
5 awareness of the workplace impact of domestic vio-
6 lence, dating violence, sexual assault, and stalking,
7 including outreach and education for employers,
8 service providers, teachers, and other key partners.
9 This campaign shall pay special attention to ensure
10 that survivors are made aware of the existence of the
11 following types of workplace laws (federal and/or
12 State): anti-discrimination laws that bar treating
13 survivors differently; leave laws, both paid and un-
14 paid that are available for use by survivors; unem-
15 ployment insurance laws and policies that address
16 survivor eligibility.

17 (2) DISSEMINATION.—The Secretary of Labor,
18 in conjunction with the Secretary of Health and
19 Human Services and the Attorney General, as de-
20 scribed in paragraph (1), may disseminate informa-
21 tion through the public outreach and education cam-
22 paign on the resources and rights referred to in this
23 subsection directly or through arrangements with
24 health agencies, professional and nonprofit organiza-
25 tions, consumer groups, labor organizations, institu-

1 tions of higher education, clinics, the media, and
2 Federal, State, and local agencies.

3 (3) INFORMATION.—The information dissemi-
4 nated under paragraph (2) shall include, at a min-
5 imum, a description of—

6 (A) the resources and rights that are—

7 (i) available to survivors of domestic
8 violence, dating violence, sexual assault, or
9 stalking; and

10 (ii) established in this Act and the Vi-
11 olence Against Women Act of 1994 (34
12 U.S.C. 12291 et seq.);

13 (B) guidelines and best practices on pre-
14 vention of domestic violence, dating violence,
15 stalking, and sexual assault;

16 (C) resources that promote healthy rela-
17 tionships and communication skills;

18 (D) resources that encourage bystander
19 intervention in a situation involving domestic vi-
20 olence, dating violence, stalking, or sexual as-
21 sault;

22 (E) resources that promote workplace poli-
23 cies that support and help maintain the eco-
24 nomic security of survivors of domestic violence,
25 dating violence, sexual assault, or stalking, in-

1 including guidelines and best practices to promote
2 the creation of effective employee assistance
3 programs; and

4 (F) resources and rights that the heads of
5 Federal agencies described in paragraph (2) de-
6 termine are appropriate to include.

7 (4) COMMON LANGUAGES.—The Secretary of
8 Labor shall ensure that the information dissemi-
9 nated to survivors under paragraph (2) is made
10 available in commonly encountered languages.

11 (b) DEFINITIONS.—In this section:

12 (1) EMPLOYEE.—

13 (A) IN GENERAL.—The term “employee”
14 means any individual employed by an employer.
15 In the case of an individual employed by a pub-
16 lic agency, such term means an individual em-
17 ployed as described in section 3(e)(2) of the
18 Fair Labor Standards Act of 1938 (29 U.S.C.
19 203(e)(2)).

20 (B) BASIS.—The term includes a person
21 employed as described in subparagraph (A) on
22 a full- or part-time basis, for a fixed time pe-
23 riod, on a temporary basis, pursuant to a detail,
24 or as a participant in a work assignment as a

1 condition of receipt of Federal or State income-
2 based public assistance.

3 (2) EMPLOYER.—The term “employer”—

4 (A) means any person engaged in com-
5 merce or in any industry or activity affecting
6 commerce who employs 15 or more individuals;
7 and

8 (B) includes any person acting directly or
9 indirectly in the interest of an employer in rela-
10 tion to an employee, and includes a public agen-
11 cy that employs individuals as described in sec-
12 tion 3(e)(2) of the Fair Labor Standards Act of
13 1938, but does not include any labor organiza-
14 tion (other than when acting as an employer) or
15 anyone acting in the capacity of officer or agent
16 of such labor organization.

17 (3) FLSA TERMS.—The terms “employ” and
18 “State” have the meanings given the terms in sec-
19 tion 3 of the Fair Labor Standards Act of 1938 (29
20 U.S.C. 203).

21 (c) STUDY ON WORKPLACE RESPONSES.—The Sec-
22 retary of Labor, in conjunction with the Secretary of
23 Health and Human Services, shall conduct a study on the
24 status of workplace responses to employees who experience
25 domestic violence, dating violence, sexual assault, or stalk-

1 ing while employed, in each State and nationally, to im-
2 prove the access of survivors of domestic violence, dating
3 violence, sexual assault, or stalking to supportive resources
4 and economic security.

5 (d) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to carry out this section,
7 such sums as may be necessary for each of fiscal years
8 2020 through 2024.

9 SEC. 707. SEVERABILITY.

10 If any provision of this Act, any amendment made
11 by this Act, or the application of such provision or amend-
12 ment to any person or circumstance is held to be unconsti-
13 tutional, the remainder of the provisions of this Act, the
14 amendments made by this Act, and the application of such
15 provisions or amendments to any person or circumstance
16 shall not be affected.

17 **TITLE VIII—HOMICIDE**
18 **REDUCTION INITIATIVES**

19 SEC. 801. PROHIBITING PERSONS CONVICTED OF MIS-
20 DEMEANOR CRIMES AGAINST DATING PART-
21 NERS AND PERSONS SUBJECT TO PROTEC-
22 TION ORDERS.

23 Section 921(a) of title 18, United States Code, is
24 amended—

1 (1) in paragraph (32), by striking all that fol-
2 lows after “The term ‘intimate partner’” and insert-
3 ing the following: “—

4 “(A) means, with respect to a person, the
5 spouse of the person, a former spouse of the
6 person, an individual who is a parent of a child
7 of the person, and an individual who cohabi-
8 tates or has cohabited with the person; and

9 “(B) includes—

10 “(i) a dating partner or former dating
11 partner (as defined in section 2266); and

12 “(ii) any other person similarly situ-
13 ated to a spouse who is protected by the
14 domestic or family violence laws of the
15 State or tribal jurisdiction in which the in-
16 jury occurred or where the victim resides.”;

17 (2) in paragraph (33)(A)—

18 (A) in clause (i), by inserting after “Fed-
19 eral, State,” the following: “municipal,”; and

20 (B) in clause (ii), by inserting “intimate
21 partner,” after “spouse,” each place it appears;

22 (3) by redesignating paragraphs (34) and (35)
23 as paragraphs (35) and (36) respectively; and

24 (4) by inserting after paragraph (33) the fol-
25 lowing:

1 “(34)(A) The term ‘misdemeanor crime of stalking’
2 means an offense that—

3 “(i) is a misdemeanor crime of stalking under
4 Federal, State, Tribal, or municipal law; and

5 “(ii) is a course of harassment, intimidation, or
6 surveillance of another person that—

7 “(I) places that person in reasonable fear
8 of material harm to the health or safety of—

9 “(aa) that person;

10 “(bb) an immediate family member
11 (as defined in section 115) of that person;

12 “(cc) a household member of that per-
13 son; or

14 “(dd) a spouse or intimate partner of
15 that person; or

16 “(II) causes, attempts to cause, or would
17 reasonably be expected to cause emotional dis-
18 tress to a person described in item (aa), (bb),
19 (cc), or (dd) of subclause (I).

20 “(B) A person shall not be considered to have been
21 convicted of such an offense for purposes of this chapter,
22 unless—

23 “(i) the person was represented by counsel in
24 the case, or knowingly and intelligently waived the
25 right to counsel in the case; and

1 “(ii) in the case of a prosecution for an offense
2 described in this paragraph for which a person was
3 entitled to a jury trial in the jurisdiction in which
4 the case was tried, either—

5 “(I) the case was tried by a jury; or

6 “(II) the person knowingly and intel-
7 ligently waived the right to have the case tried
8 by a jury, by guilty plea or otherwise.

9 “(C) A person shall not be considered to have been
10 convicted of such an offense for purposes of this chapter
11 if the conviction has been expunged or set aside, or is an
12 offense for which the person has been pardoned or has
13 had civil rights restored (if the law of the applicable juris-
14 diction provides for the loss of civil rights under such an
15 offense) unless the pardon, expungement, or restoration
16 of civil rights expressly provides that the person may not
17 ship, transport, possess, or receive firearms.”.

18 **SEC. 802. PROHIBITING STALKERS AND INDIVIDUALS SUB-**
19 **JECT TO COURT ORDER FROM POSSESSING A**
20 **FIREARM.**

21 Section 922 of title 18, United States Code, is
22 amended—

23 (1) in subsection (d)—

1 (A) in paragraph (8), by striking “that re-
2 strains such person” and all that follows, and
3 inserting “described in subsection (g)(8);”;

4 (B) in paragraph (9), by striking the pe-
5 riod at the end and inserting “; or”; and

6 (C) by inserting after paragraph (9) the
7 following:

8 “(10) who has been convicted in any court of
9 a misdemeanor crime of stalking.”; and

10 (2) in subsection (g)—

11 (A) by amending paragraph (8) to read as
12 follows:

13 “(8) who is subject to a court order—

14 “(A) that was issued—

15 “(i) after a hearing of which such per-
16 son received actual notice, and at which
17 such person had an opportunity to partici-
18 pate; or

19 “(ii) in the case of an ex parte order,
20 relative to which notice and opportunity to
21 be heard are provided—

22 “(I) within the time required by
23 State, tribal, or territorial law; and

24 “(II) in any event within a rea-
25 sonable time after the order is issued,

1 sufficient to protect the due process
2 rights of the person;

3 “(B) that restrains such person from—

4 “(i) harassing; stalking, or threat-
5 ening an intimate partner of such person
6 or child of such intimate partner or person,
7 or engaging in other conduct that would
8 place an intimate partner in reasonable
9 fear of bodily injury to the partner or
10 child; or

11 “(ii) intimidating or dissuading a wit-
12 ness from testifying in court; and

13 “(C) that—

14 “(i) includes a finding that such per-
15 son represents a credible threat to the
16 physical safety of such individual described
17 in subparagraph (B); or

18 “(ii) by its terms explicitly prohibits
19 the use, attempted use, or threatened use
20 of physical force against such individual
21 described in subparagraph (B) that would
22 reasonably be expected to cause bodily in-
23 jury;”;

24 (B) in paragraph (9), by striking the
25 comma at the end and inserting “; or”; and

1 (C) by inserting after paragraph (9) the
2 following:

3 “(10) who has been convicted in any court of
4 a misdemeanor crime of stalking,”.

5 **TITLE IX—SAFETY FOR INDIAN**
6 **WOMEN**

7 **SEC. 901. FINDINGS AND PURPOSES.**

8 (a) FINDINGS.—Congress finds the following:

9 (1) American Indians and Alaska Natives are
10 2.5 times as likely to experience violent crimes—and
11 at least 2 times more likely to experience rape or
12 sexual assault crimes—compared to all other races.

13 (2) More than 4 in 5 American Indian and
14 Alaska Native women, or 84.3 percent, have experi-
15 enced violence in their lifetime.

16 (3) The vast majority of Native victims—96
17 percent of women and 89 percent of male victims—
18 report being victimized by a non-Indian.

19 (4) Native victims of sexual violence are three
20 times as likely to have experienced sexual violence by
21 an interracial perpetrator as non-Hispanic White
22 victims and Native stalking victims are nearly 4
23 times as likely to be stalked by someone of a dif-
24 ferent race.

1 (5) While tribes exercising jurisdiction over
2 non-Indians have reported significant successes, the
3 inability to prosecute crimes related to the Special
4 Domestic Violence Criminal Jurisdiction crimes con-
5 tinues to leave Tribes unable to fully hold domestic
6 violence offenders accountable.

7 (6) Tribal prosecutors report that the majority
8 of domestic violence cases involve children either as
9 witnesses or victims, and Department of Justice re-
10 ports that American Indian and Alaska Native chil-
11 dren suffer exposure to violence at rates higher than
12 any other race in the United States.

13 (7) Childhood exposure to violence has imme-
14 diate and long-term effects, including: increased
15 rates of altered neurological development, poor phys-
16 ical and mental health, poor school performance,
17 substance abuse, and overrepresentation in the juve-
18 nile justice system.

19 (8) According to the Centers for Disease Con-
20 trol and Prevention, homicide is the third leading
21 cause of death among American Indian and Alaska
22 Native women between 10 and 24 years of age and
23 the fifth leading cause of death for American Indian
24 and Alaska Native women between 25 and 34 years
25 of age.

1 (9) On some reservations, Indian women are
2 murdered at more than 10 times the national aver-
3 age.

4 (10) According to a 2010 Government Account-
5 ability Office report, United States Attorneys de-
6 clined to prosecute nearly 52 percent of violent
7 crimes that occur in Indian country.

8 (11) Investigation into cases of missing and
9 murdered Indian women is made difficult for tribal
10 law enforcement agencies due to a lack of resources,
11 such as—

12 (A) necessary training, equipment, or
13 funding;

14 (B) a lack of interagency cooperation; and

15 (C) a lack of appropriate laws in place.

16 (12) Domestic violence calls are among the
17 most dangerous calls that law enforcement receives.

18 (13) The complicated jurisdictional scheme that
19 exists in Indian country—

20 (A) has a significant negative impact on
21 the ability to provide public safety to Indian
22 communities;

23 (B) has been increasingly exploited by
24 criminals; and

1 (C) requires a high degree of commitment
2 and cooperation among tribal, Federal, and
3 State law enforcement officials.

4 (14) Restoring and enhancing local, tribal ca-
5 pacity to address violence against women provides
6 for greater local control, safety, accountability, and
7 transparency.

8 (15) In States with restrictive land settlement
9 acts such as Alaska, "Indian country" is limited, re-
10 sources for local tribal responses either nonexistent
11 or insufficient to meet the needs, jurisdiction unnec-
12 essarily complicated and increases the already high
13 levels of victimization of American Indian and Alas-
14 ka Native women. According to the Tribal Law and
15 Order Act Commission Report, Alaska Native
16 women are over-represented in the domestic violence
17 victim population by 250 percent; they comprise 19
18 percent of the State population, but are 47 percent
19 of reported rape victims. And among other Indian
20 Tribes, Alaska Native women suffer the highest
21 rates of domestic and sexual violence in the country.

22 (b) PURPOSES.—The purposes of this title are—

23 (1) to clarify the responsibilities of Federal,
24 State, tribal, and local governments with respect to
25 responding to cases of domestic violence, dating vio-

1 lence, stalking, trafficking, sexual violence, crimes
2 against children, and assault against tribal law en-
3 forcement officers and murdered Indians;

4 (2) to increase coordination and communication
5 among Federal, State, tribal, and local law enforce-
6 ment agencies;

7 (3) to empower tribal governments with the re-
8 sources and information necessary to effectively re-
9 spond to cases of domestic violence, dating violence,
10 stalking, sex trafficking, sexual violence, and missing
11 and murdered Indians; and

12 (4) to increase the collection of data related to
13 missing and murdered Indians and the sharing of in-
14 formation among Federal, State, and tribal officials
15 responsible for responding to and investigating cases
16 of missing and murdered Indians.

17 **SEC. 902. AUTHORIZING FUNDING FOR THE TRIBAL ACCESS**
18 **PROGRAM.**

19 (a) **IN GENERAL.**—Section 534 of title 28, United
20 States Code, is amended by adding at the end the fol-
21 lowing:

22 “(g) **AUTHORIZATION OF APPROPRIATIONS.**—There
23 is authorized to be appropriated \$3,000,000 for each of
24 fiscal years 2020 through 2024, to remain available until
25 expended, for the purposes of enhancing the ability of trib-

1 al government entities to access, enter information into,
2 and obtain information from, Federal criminal informa-
3 tion databases, as authorized by this section.”

4 (b) INDIAN TRIBE AND INDIAN LAW ENFORCEMENT
5 INFORMATION SHARING.—Section 534 of title 28, United
6 States Code, is further amended by amending subsection
7 (d) to read as follows:

8 “(d) INDIAN TRIBE AND INDIAN LAW ENFORCE-
9 MENT INFORMATION SHARING.—The Attorney General
10 shall permit tribal law enforcement entities (including en-
11 tities designated by a tribe as maintaining public safety
12 within a tribe’s territorial jurisdiction that has no federal
13 or state arrest authority) and Bureau of Indian Affairs
14 law enforcement agencies—

15 “(1) to access and enter information into Fed-
16 eral criminal information databases; and

17 “(2) to obtain information from the data-
18 bases.”

1 SEC. 903. TRIBAL JURISDICTION OVER CRIMES OF DOMES-
2 TIC VIOLENCE, DATING VIOLENCE, OBSTRUC-
3 TION OF JUSTICE, SEXUAL VIOLENCE, SEX
4 TRAFFICKING, STALKING, AND ASSAULT OF A
5 LAW ENFORCEMENT OFFICER OR CORREC-
6 TIONS OFFICER.

7 Section 204 of Public Law 90-284 (25 U.S.C. 1304)
8 (commonly known as the "Indian Civil Rights Act of
9 1968") is amended—

10 (1) in the heading, by striking "**CRIMES OF**
11 **DOMESTIC VIOLENCE**" and inserting "**CRIMES**
12 **OF DOMESTIC VIOLENCE, DATING VIOLENCE,**
13 **OBSTRUCTION OF JUSTICE, SEXUAL VIOLENCE,**
14 **SEX TRAFFICKING, STALKING, AND ASSAULT**
15 **OF A LAW ENFORCEMENT OR CORRECTIONS**
16 **OFFICER**";

17 (2) in subsection (a)(6), in the heading, by
18 striking "SPECIAL DOMESTIC VIOLENCE CRIMINAL
19 JURISDICTION" and inserting "SPECIAL TRIBAL
20 CRIMINAL JURISDICTION";

21 (3) by striking "special domestic violence crimi-
22 nal jurisdiction" each place such term appears and
23 inserting "special tribal criminal jurisdiction";

24 (4) in subsection (a)—

25 (A) by adding at the end the following:

1 “(12) STALKING.—The term ‘stalking’ means
2 engaging in a course of conduct directed at a spe-
3 cific person proscribed by the criminal law of the In-
4 dian tribe that has jurisdiction over the Indian coun-
5 try where the violation occurs that would cause a
6 reasonable person to—

7 “(A) fear for the person’s safety or the
8 safety of others; or

9 “(B) suffer substantial emotional dis-
10 tress.”;

11 (B) by redesignating paragraphs (6) and
12 (7) as paragraphs (10) and (11);

13 (C) by inserting before paragraph (10) (as
14 redesignated) the following:

15 “(8) SEX TRAFFICKING.—

16 “(A) IN GENERAL.—The term ‘sex traf-
17 ficking’ means conduct—

18 “(i) consisting of—

19 “(I) recruiting, enticing, har-
20 boring, transporting, providing, ob-
21 taining, advertising, maintaining, pa-
22 tronizing, or soliciting by any means a
23 person; or

24 “(II) benefitting, financially or
25 by receiving anything of value, from

1 participation in a venture that has en-
2 gaged in an act described in subclause
3 (I); and

4 “(ii) carried out with the knowledge,
5 or, except where the act constituting the
6 violation of clause (i) is advertising, in
7 reckless disregard of the fact, that—

8 “(I) means of force, threats of
9 force, fraud, coercion, or any combina-
10 tion of such means will be used to
11 cause the person to engage in a com-
12 mercial sex act; or

13 “(II) the person has not attained
14 the age of 18 years and will be caused
15 to engage in a commercial sex act.

16 “(B) DEFINITIONS.—In this paragraph,
17 the terms ‘coercion’ and ‘commercial sex act’
18 have the meanings given the terms in section
19 1591(e) of title 18, United States Code.

20 “(9) SEXUAL VIOLENCE.—The term ‘sexual vio-
21 lence’ means any nonconsensual sexual act or con-
22 tact proscribed by the criminal law of the Indian
23 tribe that has jurisdiction over the Indian country
24 where the violation occurs, including in any case in

1 which the victim lacks the capacity to consent to the
2 act.”;

3 (D) by redesignating paragraphs (4) and
4 (5) as paragraphs (6) and (7);

5 (E) by redesignating paragraphs (1)
6 through (3) as paragraphs (2) through (4);

7 (F) in paragraph (3) (as redesignated), to
8 read as follows:

9 “(3) DOMESTIC VIOLENCE.—The term ‘domes-
10 tic violence’ means violence—

11 “(A) committed by a current or former
12 spouse or intimate partner of the victim, by a
13 person with whom the victim shares a child in
14 common, by a person who is cohabitating with
15 or has cohabitated with the victim as a spouse
16 or intimate partner, or by a person similarly
17 situated to a spouse of the victim under the
18 domestic- or family- violence laws of an Indian
19 tribe that has jurisdiction over the Indian coun-
20 try where the violence occurs; or

21 “(B)(i) committed against a victim who is
22 a child under the age of 18, or an elder (as
23 such term is defined by tribal law), including
24 when an offender recklessly engages in conduct
25 that creates a substantial risk of death or seri-

1 ous bodily injury to the victim, or committed as
2 described in subparagraph (A) while the child
3 or elder is present; and

4 “(ii) the child or elder—

5 “(I) resides or has resided in the
6 same household as the offender;

7 “(II) is related to the offender by
8 blood or marriage;

9 “(III) is related to another victim of
10 the offender by blood or marriage;

11 “(IV) is under the care of a victim of
12 the offender who is an intimate partner or
13 former spouse; or

14 “(V) is under the care of a victim of
15 the offender who is similarly situated to a
16 spouse of the victim under the domestic- or
17 family- violence laws of an Indian tribe
18 that has jurisdiction over the Indian coun-
19 try where the violence occurs.”;

20 (G) by inserting before paragraph (2) (as
21 redesignated), the following:

22 “(1) ASSAULT OF A LAW ENFORCEMENT OR
23 CORRECTIONAL OFFICER.—The term ‘assault of a
24 law enforcement or correctional officer’ means any
25 criminal violation of the law of the Indian tribe that

1 has jurisdiction over the Indian country where the
2 violation occurs that involves the threatened, at-
3 tempted, or actual harmful or offensive touching of
4 a law enforcement or correctional officer.”; and

5 (H) by inserting after paragraph (4) (as
6 redesignated), the following:

7 “(5) OBSTRUCTION OF JUSTICE.—The term
8 ‘obstruction of justice’ means any violation of the
9 criminal law of the Indian tribe that has jurisdiction
10 over the Indian country where the violation occurs,
11 and the violation involves interfering with the ad-
12 ministration or due process of the tribe’s laws in-
13 cluding any tribal criminal proceeding or investiga-
14 tion of a crime.”;

15 (5) in subsection (b)(1), by inserting after “the
16 powers of self-government of a participating tribe”
17 the following: “, including any participating tribes in
18 the State of Maine,”;

19 (6) in subsection (b)(4)—

20 (A) in subparagraph (A)(i), by inserting
21 after “over an alleged offense” the following: “,
22 other than obstruction of justice or an act of
23 assault of a law enforcement or corrections offi-
24 cer,”; and

25 (B) in subparagraph (B)—

1 (i) in clause (ii), by striking “or” at
2 the end;

3 (ii) in clause (iii)(II), by striking the
4 period at the end and inserting the fol-
5 lowing: “; or”; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(iv) is being prosecuted for a crime
9 of sexual violence, stalking, sex trafficking,
10 obstructing justice, or assaulting a police
11 or corrections officer under the laws of the
12 prosecuting tribe.”;

13 (7) in subsection (c)—

14 (A) in the matter preceding paragraph (1),
15 by striking “domestic violence” and inserting
16 “tribal”; and

17 (B) in paragraph (1)—

18 (i) in the paragraph heading, by strik-
19 ing “AND DATING VIOLENCE” and insert-
20 ing “, DATING VIOLENCE, OBSTRUCTION
21 OF JUSTICE, SEXUAL VIOLENCE, STALK-
22 ING, SEX TRAFFICKING, OR ASSAULT OF A
23 LAW ENFORCEMENT OR CORRECTIONS OF-
24 FICER”; and

1 (ii) by striking “or dating violence”
2 and inserting “, dating violence, obstruc-
3 tion of justice, sexual violence, stalking,
4 sex trafficking, or assault of a law enforce-
5 ment or corrections officer”;

6 (8) in subsection (d), by striking “domestic vio-
7 lence” each place it appears and inserting “tribal”;

8 (9) by striking subsections (f), (g), and (h) and
9 inserting the following:

10 “(f) GRANTS AND REIMBURSEMENT TO TRIBAL GOV-
11 ERNMENTS.—

12 “(1) REIMBURSEMENT.—

13 “(A) IN GENERAL.—The Attorney General
14 is authorized to reimburse tribal government
15 authorities for expenses incurred in exercising
16 special tribal criminal jurisdiction.

17 “(B) ELIGIBLE EXPENSES.—Eligible ex-
18 penses for reimbursement shall include—

19 “(i) expenses incurred to arrest or
20 prosecute offenders and to detain inmates
21 (including costs associated with providing
22 health care);

23 “(ii) expenses related to indigent de-
24 fense services; and

1 “(iii) costs associated with probation
2 and rehabilitation services.

3 “(C) PROCEDURE.—Reimbursements au-
4 thorized pursuant to this section shall be in ac-
5 cordance with rules promulgated by the Attor-
6 ney General after consultation with Indian
7 tribes and within 1 year after the date of enact-
8 ment of this Act. The rules promulgated by the
9 Department shall set a maximum allowable re-
10 imbursement to any tribal government in a 1-
11 year period.

12 “(2) GRANTS.—The Attorney General may
13 award grants to the governments of Indian tribes (or
14 to authorized designees of those governments)—

15 “(A) to strengthen tribal criminal justice
16 systems to assist Indian tribes in exercising
17 special tribal criminal jurisdiction, including—

18 “(i) law enforcement (including the
19 capacity of law enforcement, court per-
20 sonnel, or other non-law enforcement enti-
21 ties that have no Federal or State arrest
22 authority agencies but have been des-
23 ignated by a tribe as responsible for main-
24 taining public safety within its territorial
25 jurisdiction, to enter information into and

- 1 obtain information from national crime in-
2 formation databases);
- 3 “(ii) prosecution;
- 4 “(iii) trial and appellate courts (in-
5 cluding facilities construction);
- 6 “(iv) probation systems;
- 7 “(v) detention and correctional facili-
8 ties (including facilities construction);
- 9 “(vi) alternative rehabilitation centers;
- 10 “(vii) culturally appropriate services
11 and assistance for victims and their fami-
12 lies; and
- 13 “(viii) criminal codes and rules of
14 criminal procedure, appellate procedure,
15 and evidence;
- 16 “(B) to provide indigent criminal defend-
17 ants with the effective assistance of licensed de-
18 fense counsel, at no cost to the defendant, in
19 criminal proceedings in which a participating
20 tribe prosecutes—
- 21 “(i) a crime of domestic violence;
- 22 “(ii) a crime of dating violence;
- 23 “(iii) a criminal violation of a protec-
24 tion order;
- 25 “(iv) a crime of sexual violence;

- 1 “(v) a crime of stalking;
- 2 “(vi) a crime of sex trafficking;
- 3 “(vii) a crime of obstruction of justice;
- 4 or
- 5 “(viii) a crime of assault of a law en-
- 6 forcement or correctional officer;
- 7 “(C) to ensure that, in criminal pro-
- 8 ceedings in which a participating tribe exercises
- 9 special tribal criminal jurisdiction, jurors are
- 10 summoned, selected, and instructed in a man-
- 11 ner consistent with all applicable requirements;
- 12 “(D) to accord victims of domestic vio-
- 13 lence, dating violence, sexual violence, stalking,
- 14 sex trafficking, obstruction of justice, assault of
- 15 a law enforcement or correctional officer, and
- 16 violations of protection orders rights that are
- 17 similar to the rights of a crime victim described
- 18 in section 3771(a) of title 18, consistent with
- 19 tribal law and custom; and
- 20 “(E) to create a pilot project to allow up
- 21 to five Indian tribes in Alaska to implement
- 22 special tribal criminal jurisdiction.
- 23 “(g) SUPPLEMENT, NOT SUPPLANT.—Amounts
- 24 made available under this section shall supplement and
- 25 not supplant any other Federal, State, tribal, or local gov-

1 ernment amounts made available to carry out activities de-
2 scribed in this section.

3 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated \$7,000,000 for each of
5 fiscal years 2020 through 2024 to carry out subsection
6 (f) and to provide training, technical assistance, data col-
7 lection, and evaluation of the criminal justice systems of
8 participating tribes.

9 “(i) USE OF FUNDS.—Not less than 25 percent of
10 the total amount of funds appropriated under this section
11 in a given year shall be used for each of the purposes de-
12 scribed in paragraphs (1) and (2) of subsection (f), with
13 remaining funds available to be distributed for either of
14 the purposes described in paragraph (1) or (2) of sub-
15 section (f), or any combination of such purposes, depend-
16 ing on need and in consultation with Indian tribes.”;

17 (10) by inserting after subsection (i) the fol-
18 lowing:

19 “(j) INDIAN COUNTRY DEFINED.—For purposes of
20 the pilot project described in subsection (f)(5), the defini-
21 tion of ‘Indian country’ shall include—

22 “(1) Alaska Native-owned Townsites, Allot-
23 ments, and former reservation lands acquired in fee
24 by Alaska Native Village Corporations pursuant to
25 the Alaska Native Claims Settlement Act (43 U.S.C.

1 33) and other lands transferred in fee to Native vil-
2 lages; and

3 “(2) all lands within any Alaska Native village
4 with a population that is at least 75 percent Alaska
5 Native.”

6 **SEC. 904. ANNUAL REPORTING REQUIREMENTS.**

7 Beginning in the first fiscal year after the date of
8 enactment of this title, and annually thereafter, the Attor-
9 ney General and the Secretary of the Interior shall jointly
10 prepare and submit a report, to the Committee on Indian
11 Affairs and the Committee on the Judiciary of the Senate
12 and the Committee on Natural Resources and the Com-
13 mittee on the Judiciary of the House of Representatives,
14 that—

15 (1) includes known statistics on missing and
16 murdered Indian women in the United States, in-
17 cluding statistics relating to incidents of sexual
18 abuse or sexual assault suffered by the victims; and

19 (2) provides recommendations regarding how to
20 improve data collection on missing and murdered In-
21 dian women.

22 **SEC. 905. REPORT ON THE RESPONSE OF LAW ENFORCE-**
23 **MENT AGENCIES TO REPORTS OF MISSING**
24 **OR MURDERED INDIANS.**

25 (a) **DEFINITIONS.**—In this section:

1 (1) COVERED DATABASE.—The term “covered
2 database” means—

3 (A) the database of the National Crime In-
4 formation Center;

5 (B) the Combined DNA Index System;

6 (C) the Next Generation Identification
7 System; and

8 (D) any other database or system of a law
9 enforcement agency under which a report of a
10 missing or murdered Indian may be submitted,
11 including—

12 (i) the Violent Criminal Apprehension
13 Program; or

14 (ii) the National Missing and Uniden-
15 tified Persons System.

16 (2) INDIAN.—The term “Indian” has the mean-
17 ing given the term in section 4 of the Indian Self-
18 Determination and Education Assistance Act (25
19 U.S.C. 5304).

20 (3) INDIAN COUNTRY.—The term “Indian coun-
21 try” has the meaning given the term in section 1151
22 of title 18, United States Code.

23 (4) LAW ENFORCEMENT AGENCY.—The term
24 “law enforcement agency” means a Federal, State,
25 local, or Tribal law enforcement agency.

1 (5) MISSING OR MURDERED INDIAN.—The term
2 “missing or murdered Indian” means any Indian
3 who is—

4 (A) reported missing in Indian country or
5 any other location; or

6 (B) murdered in Indian country or any
7 other location.

8 (6) NOTIFICATION SYSTEM.—The term “notifi-
9 cation system” means—

10 (A) the Criminal Justice Information Net-
11 work;

12 (B) the AMBER Alert communications
13 network established under subtitle A of title III
14 of the PROTECT Act (34 U.S.C. 20501 et
15 seq.); and

16 (C) any other system or public notification
17 system that relates to a report of a missing or
18 murdered Indian, including any State, local, or
19 Tribal notification system.

20 (b) REPORT.—Not later than 1 year after the date
21 of enactment of this section, the Comptroller General of
22 the United States shall submit to the Committee on Indian
23 Affairs of the Senate and the Committee on Natural Re-
24 sources of the House of Representatives a comprehensive
25 report that includes—

1 (1) a review of—

2 (A) each law enforcement agency that has
3 jurisdiction over missing or murdered Indians
4 and the basis for that jurisdiction;

5 (B) the response procedures, with respect
6 to a report of a missing or murdered Indian,
7 of—

8 (i) the Federal Bureau of Investiga-
9 tion;

10 (ii) the Bureau of Indian Affairs; and

11 (iii) any other Federal law enforce-
12 ment agency responsible for responding to
13 or investigating a report of a missing or
14 murdered Indian;

15 (C) each covered database and notification
16 system;

17 (D) Federal interagency cooperation and
18 notification policies and procedures related to
19 missing or murdered Indians;

20 (E) the requirements of each Federal law
21 enforcement agency relating to notifying State,
22 local, or Tribal law enforcement agencies after
23 the Federal law enforcement agency receives a
24 report of a missing or murdered Indian; and

1 (F) the public notification requirements of
2 law enforcement agencies relating to missing or
3 murdered Indians;

4 (2) recommendations and best practices relating
5 to improving cooperation between and response poli-
6 cies of law enforcement agencies relating to missing
7 and murdered Indians; and

8 (3) recommendations relating to—

9 (A) improving how—

10 (i) covered databases address in-
11 stances of missing or murdered Indians,
12 including by improving access to, inte-
13 grating, and improving the sharing of in-
14 formation between covered databases; and

15 (ii) notification systems address in-
16 stances of missing or murdered Indians,
17 including by improving access to, inte-
18 grating, and improving the sharing of in-
19 formation between notification systems;

20 (B) social, educational, economic, and any
21 other factor that may contribute to an Indian
22 becoming a missing or murdered Indian; and

23 (C) legislation to reduce the likelihood that
24 an Indian may become a missing or murdered
25 Indian.

1 **TITLE X—OFFICE ON VIOLENCE**
2 **AGAINST WOMEN**

3 **SEC. 1001. ESTABLISHMENT OF OFFICE ON VIOLENCE**
4 **AGAINST WOMEN.**

5 (a) ESTABLISHMENT OF OFFICE ON VIOLENCE
6 AGAINST WOMEN.—Section 2002 of title I of the Omnibus
7 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
8 10442) is amended—

9 (1) in subsection (a), by striking “a Violence
10 Against Women Office” and inserting “an Office on
11 Violence Against Women”;

12 (2) in subsection (b), by inserting after “within
13 the Department of Justice” the following: “, not
14 subsumed by any other office”;

15 (3) in subsection (c)(2), by striking “Violence
16 Against Women Act of 1994 (title VI of Public Law
17 103–322) and the Violence Against Women Act of
18 2000 (division B of Public Law 106–386)” and in-
19 serting “Violence Against Women Act of 1994 (title
20 VII of Public Law 103–322), the Violence Against
21 Women Act of 2000 (division B of Public Law 106–
22 386), the Violence Against Women and Department
23 of Justice Reauthorization Act of 2005 (title IX of
24 Public Law 109–162; 119 Stat. 3080), the Violence
25 Against Women Reauthorization Act of 2013 (Public

1 Law 113-4; 127 Stat. 54), and the Violence Against
2 Women Reauthorization Act of 2019”.

3 (b) DIRECTOR OF THE OFFICE ON VIOLENCE
4 AGAINST WOMEN.—Section 2003 of the Omnibus Crime
5 Control and Safe Streets Act of 1968 (34 U.S.C. 10443)
6 is amended to read as follows:

7 “SEC. 2003. DIRECTOR OF THE OFFICE ON VIOLENCE
8 AGAINST WOMEN.

9 “(a) APPOINTMENT.—The President, by and with the
10 advice and consent of the Senate, shall appoint a Director
11 for the Office on Violence Against Women (in this title
12 referred to as the ‘Director’) to be responsible, under the
13 general authority of the Attorney General, for the admin-
14 istration, coordination, and implementation of the pro-
15 grams and activities of the Office.

16 “(b) OTHER EMPLOYMENT.—The Director shall
17 not—

18 “(1) engage in any employment other than that
19 of serving as Director; or

20 “(2) hold any office in, or act in any capacity
21 for, any organization, agency, or institution with
22 which the Office makes any contract or other agree-
23 ment under the Violence Against Women Act of
24 1994 (title IV of Public Law 103-322), the Violence
25 Against Women Act of 2000 (division B of Public

1 Law 106–386), the Violence Against Women and
2 Department of Justice Reauthorization Act of 2005
3 (title IX of Public Law 109–162; 119 Stat. 3080),
4 the Violence Against Women Reauthorization Act of
5 2013 (Public Law 113–4; 127 Stat. 54), or the Vio-
6 lence Against Women Reauthorization Act of 2019.

7 “(c) VACANCY.—In the case of a vacancy, the Presi-
8 dent may designate an officer or employee who shall act
9 as Director during the vacancy.

10 “(d) COMPENSATION.—The Director shall be com-
11 pensated at a rate of pay not to exceed the rate payable
12 for level V of the Executive Schedule under section 5316
13 of title 5, United States Code.”

14 (c) DUTIES AND FUNCTIONS OF DIRECTOR OF THE
15 OFFICE ON VIOLENCE AGAINST WOMEN.—Section 2004
16 of the Omnibus Crime Control and Safe Streets Act of
17 1968 (34 U.S.C. 10444) is amended to read as follows:

18 **“SEC. 2004. DUTIES AND FUNCTIONS OF DIRECTOR OF THE**
19 **OFFICE ON VIOLENCE AGAINST WOMEN.**

20 “The Director shall have the following duties:

21 “(1) Maintaining liaison with the judicial
22 branches of the Federal and State Governments on
23 matters relating to violence against women.

24 “(2) Providing information to the President,
25 the Congress, the judiciary, State, local, and tribal

1 governments, and the general public on matters re-
2 lating to violence against women.

3 “(3) Serving, at the request of the Attorney
4 General, as the representative of the Department of
5 Justice on domestic task forces, committees, or com-
6 missions addressing policy or issues relating to vio-
7 lence against women.

8 “(4) Serving, at the request of the President,
9 acting through the Attorney General, as the rep-
10 resentative of the United States Government on
11 human rights and economic justice matters related
12 to violence against women in international fora, in-
13 cluding, but not limited to, the United Nations.

14 “(5) Carrying out the functions of the Depart-
15 ment of Justice under the Violence Against Women
16 Act of 1994 (title IV of Public Law 103–322), the
17 Violence Against Women Act of 2000 (division B of
18 Public Law 106–386), the Violence Against Women
19 and Department of Justice Reauthorization Act of
20 2005 (title IX of Public Law 109–162; 119 Stat.
21 3080), the Violence Against Women Reauthorization
22 Act of 2013 (Public Law 113–4; 127 Stat. 54), and
23 the Violence Against Women Reauthorization Act of
24 2019, including with respect to those functions—

1 “(A) the development of policy, protocols,
2 and guidelines;

3 “(B) the development and management of
4 grant programs and other programs, and the
5 provision of technical assistance under such
6 programs; and

7 “(C) the awarding and termination of
8 grants, cooperative agreements, and contracts.

9 “(6) Providing technical assistance, coordina-
10 tion, and support to—

11 “(A) other components of the Department
12 of Justice, in efforts to develop policy and to
13 enforce Federal laws relating to violence against
14 women, including the litigation of civil and
15 criminal actions relating to enforcing such laws;

16 “(B) other Federal, State, local, and tribal
17 agencies, in efforts to develop policy, provide
18 technical assistance, synchronize federal defini-
19 tions and protocols, and improve coordination
20 among agencies carrying out efforts to elimi-
21 nate violence against women, including Indian
22 or indigenous women; and

23 “(C) grantees, in efforts to combat violence
24 against women and to provide support and as-
25 sistance to victims of such violence.

1 “(7) Exercising such other powers and func-
2 tions as may be vested in the Director pursuant to
3 this subchapter or by delegation of the Attorney
4 General.

5 “(8) Establishing such rules, regulations, guide-
6 lines, and procedures as are necessary to carry out
7 any function of the Office.”.

8 (d) **STAFF OF OFFICE ON VIOLENCE AGAINST**
9 **WOMEN.**—Section 2005 of the Omnibus Crime Control
10 and Safe Streets Act of 1968 (34 U.S.C. 10445) is amend-
11 ed in the heading, by striking “**VIOLENCE AGAINST**
12 **WOMEN OFFICE**” and inserting “**OFFICE ON VIO-**
13 **LENCE AGAINST WOMEN**”.

14 (e) **CLERICAL AMENDMENT.**—Section 121(a)(1) of
15 the Violence Against Women and Department of Justice
16 Reauthorization Act of 2005 (34 U.S.C. 20124(a)(1)) is
17 amended by striking “the Violence Against Women Of-
18 fice” and inserting “the Office on Violence Against
19 Women”.

20 **SEC. 1002. REPORT OF THE ATTORNEY GENERAL ON THE**
21 **EFFECTS OF THE SHUTDOWN.**

22 Not later than 180 days after the date of enactment
23 of this title, the Attorney General shall submit a report
24 to Congress on the effects of the Federal Government
25 shutdown that lasted from December 22, 2018 to January

1 25, 2019, evaluating and detailing the extent of the effect
 2 of the shutdown on the ability of the Department of Jus-
 3 tice to disperse funding and services under the Violence
 4 Against Women Act of 1994, the Violence Against Women
 5 and Department of Justice Reauthorization Act of 2005,
 6 and the Victims of Crime Act of 1984, to victims of do-
 7 mestic violence, dating violence, sexual assault, and stalk-
 8 ing.

9 **TITLE XI—IMPROVING CONDI-**
 10 **TIONS FOR WOMEN IN FED-**
 11 **ERAL CUSTODY**

12 **SEC. 1101. IMPROVING THE TREATMENT OF PRIMARY**
 13 **CARETAKER PARENTS AND OTHER INDIVID-**
 14 **UALS IN FEDERAL PRISONS.**

15 (a) **SHORT TITLE.**—This section may be cited as the
 16 “Ramona Brant Improvement of Conditions for Women
 17 in Federal Custody Act”.

18 (b) **IN GENERAL.**—Chapter 303 of title 18, United
 19 States Code, is amended by adding at the end the fol-
 20 lowing:

21 **“§ 4051. Treatment of primary caretaker parents and**
 22 **other individuals**

23 **“(a) DEFINITIONS.**—In this section—

24 **“(1) the term ‘correctional officer’ means a cor-**
 25 **rectional officer of the Bureau of Prisons;**

1 “(2) the term ‘covered institution’ means a
2 Federal penal or correctional institution;

3 “(3) the term ‘Director’ means the Director of
4 the Bureau of Prisons;

5 “(4) the term ‘post-partum recovery’ means the
6 first 8-week period of post-partum recovery after
7 giving birth;

8 “(5) the term ‘primary caretaker parent’ has
9 the meaning given the term in section 31903 of the
10 Family Unity Demonstration Project Act (34 U.S.C.
11 12242);

12 “(6) the term ‘prisoner’ means an individual
13 who is incarcerated in a Federal penal or correc-
14 tional institution, including a vulnerable person; and

15 “(7) the term ‘vulnerable person’ means an in-
16 dividual who—

17 “(A) is under 21 years of age or over 60
18 years of age;

19 “(B) is pregnant;

20 “(C) identifies as lesbian, gay, bisexual,
21 transgender, or intersex;

22 “(D) is victim or witness of a crime;

23 “(E) has filed a nonfrivolous civil rights
24 claim in Federal or State court;

1 “(F) has a serious mental or physical ill-
2 ness or disability; or

3 “(G) during the period of incarceration,
4 has been determined to have experienced or to
5 be experiencing severe trauma or to be the vic-
6 tim of gender-based violence—

7 “(i) by any court or administrative ju-
8 dicial proceeding;

9 “(ii) by any corrections official;

10 “(iii) by the individual’s attorney or
11 legal service provider; or

12 “(iv) by the individual.

13 “(b) GEOGRAPHIC PLACEMENT.—

14 “(1) ESTABLISHMENT OF OFFICE.—The Direc-
15 tor shall establish within the Bureau of Prisons an
16 office that determines the placement of prisoners.

17 “(2) PLACEMENT OF PRISONERS.—In deter-
18 mining the placement of a prisoner, the office estab-
19 lished under paragraph (1) shall—

20 “(A) if the prisoner has children, place the
21 prisoner as close to the children as possible;

22 “(B) in deciding whether to assign a
23 transgender or intersex prisoner to a facility for
24 male or female prisoners, and in making other
25 housing and programming assignments, con-

1 sider on a case-by-case basis whether a place-
2 ment would ensure the prisoner's health and
3 safety, including serious consideration of the
4 prisoner's own views with respect to their safe-
5 ty, and whether the placement would present
6 management or security problems; and

7 “(C) consider any other factor that the of-
8 fice determines to be appropriate.

9 “(c) PROHIBITION ON PLACEMENT OF PREGNANT
10 PRISONERS OR PRISONERS IN POST-PARTUM RECOVERY
11 IN SEGREGATED HOUSING UNITS.—

12 “(1) PLACEMENT IN SEGREGATED HOUSING
13 UNITS.—A covered institution may not place a pris-
14 oner who is pregnant or in post-partum recovery in
15 a segregated housing unit unless the prisoner pre-
16 sents an immediate risk of harm to the prisoner or
17 others.

18 “(2) RESTRICTIONS.—Any placement of a pris-
19 oner described in subparagraph (A) in a segregated
20 housing unit shall be limited and temporary.

21 “(d) PARENTING CLASSES.—The Director shall pro-
22 vide parenting classes to each prisoner who is a primary
23 caretaker parent, and such classes shall be made available
24 to prisoners with limited English proficiency in compliance
25 with title VI of the Civil Rights Act of 1964.

1 “(e) TRAUMA SCREENING.—The Director shall pro-
2 vide training, including cultural competency training, to
3 each correctional officer and each employee of the Bureau
4 of Prisons who regularly interacts with prisoners, includ-
5 ing each instructor and health care professional, to enable
6 those correctional officers and employees to—

7 “(1) identify a prisoner who has a mental or
8 physical health need relating to trauma the prisoner
9 has experienced; and

10 “(2) refer a prisoner described in paragraph (1)
11 to the proper healthcare professional for treatment.

12 “(f) INMATE HEALTH.—

13 “(1) HEALTH CARE ACCESS.—The Director
14 shall ensure that all prisoners receive adequate
15 health care.

16 “(2) HYGIENIC PRODUCTS.—The Director shall
17 make essential hygienic products, including sham-
18 poo, toothpaste, toothbrushes, and any other hygien-
19 ic product that the Director determines appropriate,
20 available without charge to prisoners.

21 “(3) GYNECOLOGIST ACCESS.—The Director
22 shall ensure that all prisoners have access to a gyne-
23 cologist as appropriate.

24 “(g) USE OF SEX-APPROPRIATE CORRECTIONAL OF-
25 FICERS.—

1 “(1) REGULATIONS.—The Director shall make
2 rules under which—

3 “(A) a correctional officer may not conduct
4 a strip search of a prisoner of the opposite sex
5 unless—

6 “(i) the prisoner presents a risk of
7 immediate harm to the prisoner or others,
8 and no other correctional officer of the
9 same sex as the prisoner, or medical staff
10 is available to assist; or

11 “(ii) the prisoner has previously re-
12 quested that an officer of a different sex
13 conduct searches;

14 “(B) a correctional officer may not enter a
15 restroom reserved for prisoners of the opposite
16 sex unless—

17 “(i) a prisoner in the restroom pre-
18 sents a risk of immediate harm to them-
19 selves or others; or

20 “(ii) there is a medical emergency in
21 the restroom and no other correctional offi-
22 cer of the appropriate sex is available to
23 assist;

1 “(C) a transgender prisoner’s sex is deter-
2 mined according to the sex with which they
3 identify; and

4 “(D) a correctional officer may not search
5 or physically examine a prisoner for the sole
6 purpose of determining the prisoner’s genital
7 status or sex.

8 “(2) RELATION TO OTHER LAWS.—Nothing in
9 paragraph (1) shall be construed to affect the re-
10 quirements under the Prison Rape Elimination Act
11 of 2003 (42 U.S.C. 15601 et seq.).”.

12 (c) SUBSTANCE ABUSE TREATMENT.—Section
13 3621(e) of title 18, United States Code, is amended by
14 adding at the end the following:

15 “(7) ELIGIBILITY OF PRIMARY CARETAKER
16 PARENTS AND PREGNANT WOMEN.—The Director of
17 the Bureau of Prisons may not prohibit an eligible
18 prisoner who is a primary caretaker parent (as de-
19 fined in section 4051) or pregnant from partici-
20 pating in a program of residential substance abuse
21 treatment provided under paragraph (1) on the basis
22 of a failure by the eligible prisoner, before being
23 committed to the custody of the Bureau of Prisons,
24 to disclose to any official of the Bureau of Prisons
25 that the prisoner had a substance abuse problem on

1 or before the date on which the eligible prisoner was
2 committed to the custody of the Bureau of Pris-
3 ons.”.

4 (d) IMPLEMENTATION DATE.—

5 (1) IN GENERAL.—Not later than 2 years after
6 the date of enactment of this Act, the Director of
7 the Bureau of Prisons shall implement this section
8 and the amendments made by this section.

9 (2) REPORT.—Not later than 1 year after the
10 date of enactment of this Act, the Director of the
11 Bureau of Prisons shall submit to the Committee on
12 the Judiciary of the Senate and the Committee on
13 the Judiciary of the House of Representatives a re-
14 port on the implementation of this section and the
15 amendments made by this section.

16 (e) TECHNICAL AND CONFORMING AMENDMENT.—

17 The table of sections for chapter 303 of title 18, United
18 States Code, is amended by adding at the end the fol-
19 lowing:

“4051. Treatment of primary caretaker parents and other individuals.”.

20 **SEC. 1102. PUBLIC HEALTH AND SAFETY OF WOMEN.**

21 (a) SHORT TITLE.—This section may be cited as the
22 “Stop Infant Mortality And Recidivism Reduction Act” or
23 the “SIMARRA Act”.

24 (b) ESTABLISHMENT.—Not later than 270 days after
25 the date of the enactment of this section, the Director of

1 the Federal Bureau of Prisons (in this section referred
2 to as the "Director") shall establish a pilot program (in
3 this section referred to as the "Program") in accordance
4 with this section to permit women incarcerated in Federal
5 prisons and the children born to such women during incar-
6 ceration to reside together while the inmate serves a term
7 of imprisonment in a separate housing wing of the prison.

8 (c) PURPOSES.—The purposes of this section are
9 to—

10 (1) prevent infant mortality among infants born
11 to incarcerated mothers and greatly reduce the trau-
12 ma and stress experienced by the unborn fetuses of
13 pregnant inmates;

14 (2) reduce the recidivism rates of federally in-
15 carcerated women and mothers, and enhance public
16 safety by improving the effectiveness of the Federal
17 prison system for women as a population with spe-
18 cial needs;

19 (3) establish female offender risk and needs as-
20 sessment as the cornerstones of a more effective and
21 efficient Federal prison system;

22 (4) implement a validated post-sentencing risk
23 and needs assessment system that relies on dynamic
24 risk factors to provide Federal prison officials with
25 a roadmap to address the pre- and post-natal needs

1 of Federal pregnant offenders, manage limited re-
2 sources, and enhance public safety;

3 (5) perform regular outcome evaluations of the
4 effectiveness of programs and interventions for fed-
5 erally incarcerated pregnant women and mothers to
6 assure that such programs and interventions are evi-
7 dence-based and to suggest changes, deletions, and
8 expansions based on the results of such evaluations;
9 and

10 (6) assist the Department of Justice to address
11 the underlying cost structure of the Federal prison
12 system and ensure that the Department can con-
13 tinue to run prison nurseries safely and securely
14 without compromising the scope or quality of the
15 Department's critical health, safety and law enforce-
16 ment missions.

17 (d) DUTIES OF THE DIRECTOR OF BUREAU OF PRIS-
18 ONS.—

19 (1) IN GENERAL.—The Director shall carry out
20 this section in consultation with—

21 (A) a licensed and board-certified gyne-
22 cologist or obstetrician;

23 (B) the Director of the Administrative Of-
24 fice of the United States Courts;

1 (C) the Director of the Office of Probation
2 and Pretrial Services;

3 (D) the Director of the National Institute
4 of Justice; and

5 (E) the Secretary of Health and Human
6 Services.

7 (2) DUTIES.—The Director shall, in accordance
8 with paragraph (3)—

9 (A) develop an offender risk and needs as-
10 sessment system particular to the health and
11 sensitivities of Federally incarcerated pregnant
12 women and mothers in accordance with this
13 subsection;

14 (B) develop recommendations regarding re-
15 cidivism reduction programs and productive ac-
16 tivities in accordance with subsection (c);

17 (C) conduct ongoing research and data
18 analysis on—

19 (i) the best practices relating to the
20 use of offender risk and needs assessment
21 tools particular to the health and sensitivi-
22 ties of federally incarcerated pregnant
23 women and mothers;

24 (ii) the best available risk and needs
25 assessment tools particular to the health

1 and sensitivities of Federally incarcerated
2 pregnant women and mothers and the level
3 to which they rely on dynamic risk factors
4 that could be addressed and changed over
5 time, and on measures of risk of recidi-
6 vism, individual needs, and responsiveness
7 to recidivism reduction programs;

8 (iii) the most effective and efficient
9 uses of such tools in conjunction with re-
10 cidivism reduction programs, productive
11 activities, incentives, and rewards; and

12 (iv) which recidivism reduction pro-
13 grams are the most effective—

14 (I) for Federally incarcerated
15 pregnant women and mothers classi-
16 fied at different recidivism risk levels;
17 and

18 (II) for addressing the specific
19 needs of Federally incarcerated preg-
20 nant women and mothers;

21 (D) on a biennial basis, review the system
22 developed under subparagraph (A) and the rec-
23 ommendations developed under subparagraph
24 (B), using the research conducted under sub-
25 paragraph (C), to determine whether any revi-

1 sions or updates should be made, and if so,
2 make such revisions or updates;

3 (E) hold periodic meetings with the indi-
4 viduals listed in paragraph (1) at intervals to be
5 determined by the Director;

6 (F) develop tools to communicate par-
7 enting program availability and eligibility cri-
8 teria to each employee of the Bureau of Prisons
9 and each pregnant inmate to ensure that each
10 pregnant inmate in the custody of a Bureau of
11 Prisons facility understands the resources avail-
12 able to such inmate; and

13 (G) report to Congress in accordance with
14 subsection (i).

15 (3) METHODS.—In carrying out the duties
16 under paragraph (2), the Director shall—

17 (A) consult relevant stakeholders; and

18 (B) make decisions using data that is
19 based on the best available statistical and em-
20 pirical evidence.

21 (e) ELIGIBILITY.—An inmate may apply to partici-
22 pate in the Program if the inmate—

23 (1) is pregnant at the beginning of or during
24 the term of imprisonment; and

1 (2) is in the custody or control of the Federal
2 Bureau of Prisons.

3 (f) PROGRAM TERMS.—

4 (1) TERM OF PARTICIPATION.—To correspond
5 with the purposes and goals of the Program to pro-
6 mote bonding during the critical stages of child de-
7 velopment, an eligible inmate selected for the Pro-
8 gram may participate in the Program, subject to
9 subsection (g), until the earliest of—

10 (A) the date that the inmate's term of im-
11 prisonment terminates;

12 (B) the date the infant fails to meet any
13 medical criteria established by the Director or
14 the Director's designee along with a collective
15 determination of the persons listed in sub-
16 section (d)(1); or

17 (C) 30 months.

18 (2) INMATE REQUIREMENTS.—For the duration
19 of an inmate's participation in the Program, the in-
20 mate shall agree to—

21 (A) take substantive steps towards acting
22 in the role of a parent or guardian to any child
23 of that inmate;

24 (B) participate in any educational or coun-
25 seling opportunities established by the Director,

1 including topics such as child development, par-
2 enting skills, domestic violence, vocational train-
3 ing, or substance abuse, as appropriate;

4 (C) abide by any court decision regarding
5 the legal or physical custody of the child;

6 (D) transfer to the Federal Bureau of
7 Prisons any child support payments for the in-
8 fant of the participating inmate from any per-
9 son or governmental entity; and

10 (E) specify a person who has agreed to
11 take at least temporary custody of the child if
12 the inmate's participation in the Program ter-
13 minates before the inmate's release.

14 (g) CONTINUITY OF CARE.—The Director shall take
15 appropriate actions to prevent detachment or disruption
16 of either an inmate's or infant's health and bonding-based
17 well-being due to termination of the Program.

18 (h) REPORTING.—

19 (1) IN GENERAL.—Not later than 6 months
20 after the date of the enactment of this section and
21 once each year thereafter for 5 years, the Director
22 shall submit a report to the Congress with regards
23 to progress in implementing the Program.

24 (2) FINAL REPORT.—Not later than 6 months
25 after the termination of the Program, the Director

1 shall issue a final report to the Congress that con-
2 tains a detailed statement of the Director's findings
3 and conclusions, including recommendations for leg-
4 islation, administrative actions, and regulations the
5 Director considers appropriate.

6 (i) AUTHORIZATION OF APPROPRIATIONS.—To carry
7 out this section, there is authorized to be appropriated
8 \$10,000,000 for each of fiscal years 2020 through 2024.

9 **SEC. 1103. RESEARCH AND REPORT ON WOMEN IN FED-**
10 **ERAL INCARCERATION.**

11 Not later than 18 months after the date of enactment
12 of this Act, and thereafter, every other year, the National
13 Institutes of Justice, in consultation with the Bureau of
14 Justice Statistics and the Bureau of Prisons (including
15 the Women and Special Population Branch) shall prepare
16 a report on the status of women in federal incarceration.
17 Depending on the topic to be addressed, and the facility,
18 data shall be collected from Bureau of Prisons personnel
19 and a sample that is representative of the population of
20 incarcerated women. The report shall include:

21 (1) With regard to federal facilities wherein
22 women are incarcerated—

23 (A) responses by such women to questions
24 from the Adverse Childhood Experience
25 (ACES) questionnaire;

1 (B) demographic data of such women, in-
2 cluding sexual orientation and gender identity;

3 (C) responses by such women to questions
4 about the extent of exposure to sexual victim-
5 ization, sexual violence and domestic violence
6 (both inside and outside of incarceration);

7 (D) the number of such women were preg-
8 nant at the time that they entered incarcer-
9 ation;

10 (E) the number of such women who have
11 children age 18 or under, and if so, how many;
12 and

13 (F) the crimes for which such women are
14 incarcerated and the length of their sentence.

15 (2) With regard to all federal facilities where
16 persons are incarcerated—

17 (A) a list of best practices with respect to
18 women's incarceration and transition, including
19 staff led programs, services and management
20 practices (including making sanitary products
21 readily available and easily accessible, and ac-
22 cess to and provision of healthcare);

23 (B) the availability of trauma treatment at
24 each facility (including number of beds, and
25 number of trained staff);

1 (C) rates of serious mental illness broken
2 down by gender and security level and a list of
3 residential programs available by site; and

4 (D) the availability of vocational education
5 and a list of vocational programs provided by
6 each facility.

7 **SEC. 1104. REENTRY PLANNING AND SERVICES FOR INCAR-**
8 **CERATED WOMEN.**

9 The Attorney General, in coordination with the Chief
10 of U.S. Probation and Pretrial Services and the Director
11 of the Bureau of Prisons (including Women and Special
12 Population Branch), shall collaborate on a model of gen-
13 der responsive transition for incarcerated women, includ-
14 ing the development of a national standard on prevention
15 with respect to domestic and sexual violence. In developing
16 the model, the Chief and the Director shall consult with
17 such experts within the federal government (including the
18 Office on Violence Against Women of the Department of
19 Justice) and in the victim service provider community (in-
20 cluding sexual and domestic violence and homelessness,
21 job training and job placement service providers) as are
22 necessary to the completion of a comprehensive plan.
23 Issues addressed should include—

24 (1) the development by the Bureau of Prisons
25 of a contract for gender collaborative services; and

1 (2) identification by re-entry affairs coordina-
2 tors and responsive planning for the needs of re-en-
3 tering women with respect to—

4 (A) housing, including risk of homeless-
5 ness;

6 (B) previous exposure to and risk for do-
7 mestic and sexual violence; and

8 (C) the need for parenting classes, assist-
9 ance securing childcare, or assistance in seeking
10 or securing jobs that afford flexibility (as might
11 be necessary in the re-entry, parenting or other
12 contexts).

13 **TITLE XII—LAW ENFORCEMENT**
14 **TOOLS TO ENHANCE PUBLIC**
15 **SAFETY**

16 **SEC. 1201. NOTIFICATION TO LAW ENFORCEMENT AGEN-**
17 **CIES OF PROHIBITED PURCHASE OR AT-**
18 **TEMPTED PURCHASE OF A FIREARM.**

19 (a) IN GENERAL.—Title I of the NICS Improvement
20 Amendments Act of 2007 (18 U.S.C. 922 note) is amend-
21 ed by adding at the end the following:

1 "SEC. 108. NOTIFICATION TO LAW ENFORCEMENT AGEN-
2 CIES OF PROHIBITED PURCHASE OF A FIRE-
3 ARM.

4 "(a) IN GENERAL.—In the case of a background
5 check conducted by the National Instant Criminal Back-
6 ground Check System pursuant to the request of a li-
7 censed importer, licensed manufacturer, or licensed dealer
8 of firearms (as such terms are defined in section 921 of
9 title 18, United States Code), which background check de-
10 termines that the receipt of a firearm by a person would
11 violate subsection (g)(8), (g)(9), or (g)(10) of section 922
12 of title 18, United States Code, and such determination
13 is made after 3 business days have elapsed since the li-
14 censee contacted the System and a firearm has been trans-
15 ferred to that person, the System shall notify the law en-
16 forcement agencies described in subsection (b).

17 "(b) LAW ENFORCEMENT AGENCIES DESCRIBED.—
18 The law enforcement agencies described in this subsection
19 are the law enforcement agencies that have jurisdiction
20 over the location from which the licensee contacted the
21 system and the law enforcement agencies that have juris-
22 diction over the location of the residence of the person for
23 which the background check was conducted, as follows:

24 "(1) The field office of the Federal Bureau of
25 Investigation.

26 "(2) The local law enforcement agency.

1 “(3) The State law enforcement agency.

2 “(4) The Tribal law enforcement agency.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 of the NICS Improvement Amendments Act of 2007 (18
5 10 U.S.C. 922 note) is amended by inserting after the
6 item relating to section 107 the following:

“Sec. 108. Notification to law enforcement agencies of prohibited purchase of
a firearm.”.

7 **SEC. 1202. REPORTING OF BACKGROUND CHECK DENIALS**
8 **TO STATE, LOCAL, AND TRIBAL AUTHORI-**
9 **TIES.**

10 (a) IN GENERAL.—Chapter 44 of title 18, United
11 States Code, is amended by inserting after section 925A
12 the following:

13 **“§ 925B. Reporting of background check denials to**
14 **State, local, and tribal authorities**

15 “(a) IN GENERAL.—If the national instant criminal
16 background check system established under section 103
17 of the Brady Handgun Violence Prevention Act (18 U.S.C.
18 922 note) provides a notice pursuant to section 922(t) of
19 this title that the receipt of a firearm by a person would
20 violate subsection (g)(8), (g)(9), or (g)(10) of section 922
21 of this title or State law, the Attorney General shall, in
22 accordance with subsection (b) of this section—

23 “(1) report to the law enforcement authorities
24 of the State where the person sought to acquire the

1 firearm and, if different, the law enforcement au-
2 thorities of the State of residence of the person—

3 “(A) that the notice was provided;

4 “(B) of the specific provision of law that
5 would have been violated;

6 “(C) of the date and time the notice was
7 provided;

8 “(D) of the location where the firearm was
9 sought to be acquired; and

10 “(E) of the identity of the person; and

11 “(2) report the incident to local or tribal law
12 enforcement authorities and, where practicable,
13 State, tribal, or local prosecutors, in the jurisdiction
14 where the firearm was sought and in the jurisdiction
15 where the person resides.

16 “(b) REQUIREMENTS FOR REPORT.—A report is
17 made in accordance with this subsection if the report is
18 made within 24 hours after the provision of the notice de-
19 scribed in subsection (a), except that the making of the
20 report may be delayed for so long as is necessary to avoid
21 compromising an ongoing investigation.

22 “(c) RULE OF CONSTRUCTION.—Nothing in sub-
23 section (a) shall be construed to require a report with re-
24 spect to a person to be made to the same State authorities

1 that originally issued the notice with respect to the per-
2 son.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 for such chapter is amended by inserting after the item
5 relating to section 925A the following:

“925B. Reporting of background check denials to State, local, and tribal au-
thorities.”.

6 **SEC. 1203. SPECIAL ASSISTANT U.S. ATTORNEYS AND**
7 **CROSS-DEPUTIZED ATTORNEYS.**

8 (a) IN GENERAL.—Chapter 44 of title 18, United
9 States Code, as amended by this Act, is further amended
10 by inserting after section 925B the following:

11 **“§ 925C. Special assistant U.S. attorneys and cross-**
12 **deputized attorneys**

13 “(a) IN GENERAL.—In order to improve the enforce-
14 ment of paragraphs (8), (9), and (10) of section 922(g),
15 the Attorney General may—

16 “(1) appoint, in accordance with section 543 of
17 title 28, qualified State, tribal, territorial and local
18 prosecutors and qualified attorneys working for the
19 United States government to serve as special assist-
20 ant United States attorneys for the purpose of pros-
21 ecuting violations of such paragraphs;

22 “(2) deputize State, tribal, territorial and local
23 law enforcement officers for the purpose of enhanc-
24 ing the capacity of the agents of the Bureau of Alco-

1 hol, Tobacco, Firearms, and Explosives in respond-
2 ing to and investigating violations of such para-
3 graphs; and

4 “(3) establish, in order to receive and expedite
5 requests for assistance from State, tribal, territorial
6 and local law enforcement agencies responding to in-
7 timate partner violence cases where such agencies
8 have probable cause to believe that the offenders
9 may be in violation of such paragraphs, points of
10 contact within—

11 “(A) each Field Division of the Bureau of
12 Alcohol, Tobacco, Firearms, and Explosives;
13 and

14 “(B) each District Office of the United
15 States Attorneys.

16 “(b) IMPROVE INTIMATE PARTNER AND PUBLIC
17 SAFETY.—The Attorney General shall—

18 “(1) identify no less than 75 jurisdictions
19 among States, territories and tribes where there are
20 high rates of firearms violence and threats of fire-
21 arms violence against intimate partners and other
22 persons protected under paragraphs (8), (9), and
23 (10) of section 922(g) and where local authorities
24 lack the resources to address such violence; and

1 “(2) make such appointments as described in
2 subsection (a) in jurisdictions where enhanced en-
3 forcement of such paragraphs is necessary to reduce
4 firearms homicide and injury rates.

5 “(c) QUALIFIED DEFINED.—For purposes of this
6 section, the term ‘qualified’ means, with respect to an at-
7 torney, that the attorney is a licensed attorney in good
8 standing with any relevant licensing authority.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 for such chapter is amended by inserting after the item
11 relating to section 925B the following:

 “925C. Special assistant U.S. attorneys and cross-deputized attorneys.”.

12 **TITLE XIII—CLOSING THE LAW**
13 **ENFORCEMENT CONSENT**
14 **LOOPHOLE**

15 **SEC. 1301. SHORT TITLE.**

16 This title may be cited as the “Closing the Law En-
17 forcement Consent Loophole Act of 2019”.

18 **SEC. 1302. PROHIBITION ON ENGAGING IN SEXUAL ACTS**
19 **WHILE ACTING UNDER COLOR OF LAW.**

20 (a) IN GENERAL.—Section 2243 of title 18, United
21 States Code, is amended—

22 (1) in the section heading, by adding at the end
23 the following: “**or by any person acting**
24 **under color of law**”;

1 (2) by redesignating subsections (c) and (d) as
2 subsections (d) and (e), respectively;

3 (3) by inserting after subsection (b) the fol-
4 lowing:

5 “(c) OF AN INDIVIDUAL BY ANY PERSON ACTING
6 UNDER COLOR OF LAW.—

7 “(1) IN GENERAL.—Whoever, acting under
8 color of law, knowingly engages in a sexual act with
9 an individual, including an individual who is under
10 arrest, in detention, or otherwise in the actual cus-
11 tody of any Federal law enforcement officer, shall be
12 fined under this title, imprisoned not more than 15
13 years, or both.

14 “(2) DEFINITION.—In this subsection, the term
15 ‘sexual act’ has the meaning given the term in sec-
16 tion 2246.”; and

17 (4) in subsection (d), as so redesignated, by
18 adding at the end the following:

19 “(3) In a prosecution under subsection (c); it is not
20 a defense that the other individual consented to the sexual
21 act.”.

22 (b) DEFINITION.—Section 2246 of title 18, United
23 States Code, is amended—

24 (1) in paragraph (5), by striking “and” at the
25 end;

1 (2) in paragraph (6), by striking the period at
2 the end and inserting “; and”; and

3 (3) by inserting after paragraph (6) the fol-
4 lowing:

5 “(7) the term ‘Federal law enforcement officer’
6 has the meaning given the term in section 115.”.

7 (c) CLERICAL AMENDMENT.—The table of sections
8 for chapter 109A of title 18, United States Code, is
9 amended by amending the item related to section 2243
10 to read as follows:

“2243. Sexual abuse of a minor or ward or by any person acting under color
of law.”.

11 **SEC. 1303. INCENTIVES FOR STATES.**

12 (a) **AUTHORITY TO MAKE GRANTS.**—The Attorney
13 General is authorized to make grants to States that have
14 in effect a law that—

15 (1) makes it a criminal offense for any person
16 acting under color of law of the State to engage in
17 a sexual act with an individual, including an indi-
18 vidual who is under arrest, in detention, or otherwise
19 in the actual custody of any law enforcement officer;
20 and

21 (2) prohibits a person charged with an offense
22 described in paragraph (1) from asserting the con-
23 sent of the other individual as a defense.

1 (b) REPORTING REQUIREMENT.—A State that re-
2 ceives a grant under this section shall submit to the Attor-
3 ney General, on an annual basis, information on—

4 (1) the number of reports made to law enforce-
5 ment agencies in that State regarding persons en-
6 gaging in a sexual act while acting under color of
7 law during the previous year; and

8 (2) the disposition of each case in which sexual
9 misconduct by a person acting under color of law
10 was reported during the previous year.

11 (c) APPLICATION.—A State seeking a grant under
12 this section shall submit an application to the Attorney
13 General at such time, in such manner, and containing
14 such information as the Attorney General may reasonably
15 require, including information about the law described in
16 subsection (a).

17 (d) GRANT AMOUNT.—The amount of a grant to a
18 State under this section shall be in an amount that is not
19 greater than 10 percent of the average of the total amount
20 of funding of the 3 most recent awards that the State re-
21 ceived under the following grant programs:

22 (1) Part T of title I of the Omnibus Crime Con-
23 trol and Safe Streets Act of 1968 (34 U.S.C. 10441
24 et seq.) (commonly referred to as the “STOP Vio-
25 lence Against Women Formula Grant Program”).

1 (2) Section 41601 of the Violence Against
2 Women Act of 1994 (34 U.S.C. 12511) (commonly
3 referred to as the “Sexual Assault Services Pro-
4 gram”).

5 (e) GRANT TERM.—

6 (1) IN GENERAL.—The Attorney General shall
7 provide an increase in the amount provided to a
8 State under the grant programs described in sub-
9 section (d) for a 2-year period.

10 (2) RENEWAL.—A State that receives a grant
11 under this section may submit an application for a
12 renewal of such grant at such time, in such manner,
13 and containing such information as the Attorney
14 General may reasonably require.

15 (3) LIMIT.—A State may not receive a grant
16 under this section for more than 4 years.

17 (f) USES OF FUNDS.—A State that receives a grant
18 under this section shall use—

19 (1) 25 percent of such funds for any of the per-
20 missible uses of funds under the grant program de-
21 scribed in paragraph (1) of subsection (d); and

22 (2) 75 percent of such funds for any of the per-
23 missible uses of funds under the grant program de-
24 scribed in paragraph (2) of subsection (d).

1 (g) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this chapter
3 \$5,000,000 for each of fiscal years 2020 through 2024.

4 (h) DEFINITION.—For purposes of this section, the
5 term “State” means each of the several States and the
6 District of Columbia, Indian Tribes, and the Common-
7 wealth of Puerto Rico, Guam, American Samoa, the Vir-
8 gin Islands, and the Northern Mariana Islands.

9 **SEC. 1304. REPORTS TO CONGRESS.**

10 (a) REPORT BY ATTORNEY GENERAL.—Not later
11 than 1 year after the date of enactment of this Act, and
12 each year thereafter, the Attorney General shall submit
13 to Congress a report containing—

14 (1) the information required to be reported to
15 the Attorney General under section 3(b); and

16 (2) information on—

17 (A) the number of reports made, during
18 the previous year, to Federal law enforcement
19 agencies regarding persons engaging in a sexual
20 act while acting under color of law; and

21 (B) the disposition of each case in which
22 sexual misconduct by a person acting under
23 color of law was reported.

24 (b) REPORT BY GAO.—Not later than 1 year after
25 the date of enactment of this Act, and each year there-

1 after, the Comptroller General of the United States shall
2 submit to Congress a report on any violations of section
3 2243(c) of title 18, United States Code, as amended by
4 section 2, committed during the 1-year period covered by
5 the report.

6 **SEC. 1305. DEFINITION:**

7 In this title, the term “sexual act” has the meaning
8 given the term in section 2246 of title 18, United States
9 Code.

10 **TITLE XIV—OTHER MATTERS**

11 **SEC. 1401. NATIONAL STALKER AND DOMESTIC VIOLENCE**
12 **REDUCTION.**

13 Section 40603 of the Violent Crime Control and Law
14 Enforcement Act of 1994 (34 U.S.C. 12402) is amended
15 by striking “2014 through 2018” and inserting “2020
16 through 2024”.

17 **SEC. 1402. FEDERAL VICTIM ASSISTANTS REAUTHORIZA-**
18 **TION.**

19 Section 40114 of the Violence Against Women Act
20 of 1994 (Public Law 103–322) is amended to read as fol-
21 lows:

22 **“SEC. 40114. AUTHORIZATION FOR FEDERAL VICTIM’S**
23 **COUNSELORS.**

24 “There are authorized to be appropriated for the
25 United States Attorneys for the purpose of appointing vic-

1 tim/witness counselors for the prosecution of sex crimes
2 and domestic violence crimes where applicable (such as the
3 District of Columbia), \$1,000,000 for each of fiscal years
4 2020 through 2024.”.

5 **SEC. 1403. CHILD ABUSE TRAINING PROGRAMS FOR JUDI-**
6 **CIAL PERSONNEL AND PRACTITIONERS RE-**
7 **AUTHORIZATION.**

8 Section 224(a) of the Crime Control Act of 1990 (34
9 U.S.C. 20334(a)) is amended by striking “2014 through
10 2018” and inserting “2020 through 2024”.

11 **SEC. 1404. SEX OFFENDER MANAGEMENT.**

12 Section 40152(c) of the Violent Crime Control and
13 Law Enforcement Act of 1994 (34 U.S.C. 12311(c)) is
14 amended by striking “2014 through 2018” and inserting
15 “2020 through 2024”.

16 **SEC. 1405. COURT-APPOINTED SPECIAL ADVOCATE PRO-**
17 **GRAM.**

18 Section 219(a) of the Crime Control Act of 1990 (34
19 U.S.C. 20324(a)) is amended by striking “2014 through
20 2018” and inserting “2020 through 2024”.

21 **SEC. 1406. RAPE KIT BACKLOG.**

22 Section 2 of the DNA Analysis Backlog Elimination
23 Act of 2000 (34 U.S.C. 40701) is amended—

24 (1) in subsection (f)—

1 (A) in paragraph (1) by striking “and” at
2 the end;

3 (B) by redesignating paragraph (2) as
4 paragraph (3); and

5 (C) by inserting after paragraph (1) the
6 following:

7 “(2) information on best practices for state and
8 local governments to reduce the backlog of DNA evi-
9 dence”; and

10 (2) in subsection (j), by striking “2015 through
11 2019” and inserting “2020 through 2024”.

12 **SEC. 1407. SEXUAL ASSAULT FORENSIC EXAM PROGRAM**
13 **GRANTS.**

14 Section 304(d) of the DNA Sexual Assault Justice
15 Act of 2004 (34 U.S.C. 40723(d)) is amended by striking
16 “2015 through 2019” and inserting “2020 through
17 2024”.

18 **SEC. 1408. REVIEW ON LINK BETWEEN SUBSTANCE USE**
19 **AND VICTIMS OF DOMESTIC VIOLENCE DAT-**
20 **ING VIOLENCE, SEXUAL ASSAULT, OR STALK-**
21 **ING.**

22 Not later than 24 months after the date of enactment
23 of this Act, the Secretary of the Department of Health
24 and Human Services shall complete a review and submit
25 a report to Congress on whether being a victim of domestic

1 violence, dating violence, sexual assault, or stalking in-
2 creases the likelihood of having a substance use disorder.

3 **SEC. 1409. INTERAGENCY WORKING GROUP TO STUDY FED-**
4 **ERAL EFFORTS TO COLLECT DATA ON SEX-**
5 **UAL VIOLENCE.**

6 (a) **ESTABLISHMENT.**—Not later than 180 days after
7 the date of the enactment of this Act, the Attorney Gen-
8 eral shall establish an interagency working group (in this
9 section referred to as the “Working Group”) to study Fed-
10 eral efforts to collect data on sexual violence and to make
11 recommendations on the harmonization of such efforts.

12 (b) **COMPOSITION.**—The Working Group shall be
13 comprised of at least one representative from the following
14 agencies, who shall be selected by the head of that agency:

15 (1) The Centers for Disease Control and Pre-
16 vention.

17 (2) The Department of Education.

18 (3) The Department of Health and Human
19 Services.

20 (4) The Department of Justice.

21 (c) **DUTIES.**—The Working Group shall consider the
22 following:

23 (1) What activity constitutes different acts of
24 sexual violence.

1 (2) Whether reports that use the same terms
2 for acts of sexual violence are collecting the same
3 data on these acts.

4 (3) Whether the context which led to an act of
5 sexual violence should impact how that act is ac-
6 counted for in reports.

7 (4) Whether the data collected is presented in
8 a way that allows the general public to understand
9 what acts of sexual violence are included in each
10 measurement.

11 (5) Steps that agencies that compile reports re-
12 lating to sexual violence can take to avoid double
13 counting incidents of sexual violence.

14 (d) REPORT REQUIRED.—Not later than 2 years
15 after the date of the enactment of this Act, the Working
16 Group shall publish and submit to Congress a report on
17 the following:

18 (1) The activities of the Working Group.

19 (2) Recommendations to harmonize Federal ef-
20 forts to collect data on sexual violence.

21 (3) Actions Federal agencies can take to imple-
22 ment the recommendations described in paragraph

23 (2).

1 (4) Recommendations for congressional action
2 to implement the recommendations described in
3 paragraph (2).

4 (e) TERMINATION.—The Working Group shall termi-
5 nate 30 days after the date on which the report is sub-
6 mitted pursuant to subsection (d).

7 (f) DEFINITIONS.—In this section:

8 (1) HARMONIZE.—The term “harmonize” in-
9 cludes efforts to coordinate sexual violence data col-
10 lection to produce complementary information, as
11 appropriate, without compromising programmatic
12 needs.

13 (2) SEXUAL VIOLENCE.—The term “sexual vio-
14 lence” includes an unwanted sexual act (including
15 both contact and non-contact) about which the Fed-
16 eral Government collects information.

17 **SEC. 1410. NATIONAL DOMESTIC VIOLENCE HOTLINE.**

18 Not later than 3 months after the date of enactment
19 of this Act, a national domestic violence hotline for which
20 a grant is provided under section 313 of the Family Vio-
21 lence Prevention and Services Act shall include the vol-
22 untary feature of texting via telephone to ensure all meth-
23 ods of communication are available for victims and those
24 seeking assistance.

1 SEC. 1411. RULE OF CONSTRUCTION REGARDING COMPLI-
2 ANCE WITH IMMIGRATION LAWS.

3 Nothing in this Act, or in any amendments made by
4 this Act, shall affect the obligation to fully comply with
5 the immigration laws.

6 **TITLE XV—CYBERCRIME**
7 **ENFORCEMENT**

8 SEC. 1501. LOCAL LAW ENFORCEMENT GRANTS FOR EN-
9 FORCEMENT OF CYBERCRIMES.

10 (a) IN GENERAL.—Subject to the availability of ap-
11 propriations, the Attorney General shall award grants
12 under this section to States and units of local government
13 for the prevention, enforcement, and prosecution of
14 cybercrimes against individuals.

15 (b) APPLICATION.—

16 (1) IN GENERAL.—To request a grant under
17 this section, the chief executive officer of a State or
18 unit of local government shall submit an application
19 to the Attorney General within 90 days after the
20 date on which funds to carry out this section are ap-
21 propriated for a fiscal year, in such form as the At-
22 torney General may require. Such application shall
23 include the following:

24 (A) A certification that Federal funds
25 made available under this section will not be
26 used to supplant State or local funds, but will

1 be used to increase the amounts of such funds
2 that would, in the absence of Federal funds, be
3 made available for law enforcement activities.

4 (B) An assurance that, not fewer than 30
5 days before the application (or any amendment
6 to the application) was submitted to the Attor-
7 ney General, the application (or amendment)
8 was submitted for review to the governing body
9 of the State or unit of local government (or to
10 an organization designated by that governing
11 body).

12 (C) An assurance that, before the applica-
13 tion (or any amendment to the application) was
14 submitted to the Attorney General—

15 (i) the application (or amendment)
16 was made public; and

17 (ii) an opportunity to comment on the
18 application (or amendment) was provided
19 to citizens and to neighborhood or commu-
20 nity-based organizations, to the extent ap-
21 plicable law or established procedure
22 makes such an opportunity available.

23 (D) An assurance that, for each fiscal year
24 covered by an application, the applicant shall
25 maintain and report such data, records, and in-

1 formation (programmatic and financial) as the
2 Attorney General may reasonably require.

3 (E) A certification, made in a form accept-
4 able to the Attorney General and executed by
5 the chief executive officer of the applicant (or
6 by another officer of the applicant, if qualified
7 under regulations promulgated by the Attorney
8 General), that—

9 (i) the programs to be funded by the
10 grant meet all the requirements of this sec-
11 tion;

12 (ii) all the information contained in
13 the application is correct;

14 (iii) there has been appropriate co-
15 ordination with affected agencies; and

16 (iv) the applicant will comply with all
17 provisions of this section and all other ap-
18 plicable Federal laws.

19 (F) A certification that the State or in the
20 case of a unit of local government, the State in
21 which the unit of local government is located,
22 has in effect criminal laws which prohibit
23 cybercrimes against individuals.

24 (G) A certification that any equipment de-
25 scribed in subsection (c)(7) purchased using

1 grant funds awarded under this section will be
2 used primarily for investigations and forensic
3 analysis of evidence in matters involving
4 cybercrimes against individuals.

5 (c) USE OF FUNDS.—Grants awarded under this sec-
6 tion may only be used for programs that provide—

7 (1) training for State or local law enforcement
8 personnel relating to cybercrimes against individuals,
9 including—

10 (A) training such personnel to identify and
11 protect victims of cybercrimes against individ-
12 uals;

13 (B) training such personnel to utilize Fed-
14 eral, State, local, and other resources to assist
15 victims of cybercrimes against individuals;

16 (C) training such personnel to identify and
17 investigate cybercrimes against individuals;

18 (D) training such personnel to enforce and
19 utilize the laws that prohibit cybercrimes
20 against individuals;

21 (E) training such personnel to utilize tech-
22 nology to assist in the investigation of
23 cybercrimes against individuals and enforce-
24 ment of laws that prohibit such crimes; and

1 (F) the payment of overtime incurred as a
2 result of such training;

3 (2) training for State or local prosecutors,
4 judges, and judicial personnel, relating to
5 cybercrimes against individuals, including—

6 (A) training such personnel to identify, in-
7 vestigate, prosecute, or adjudicate cybercrimes
8 against individuals;

9 (B) training such personnel to utilize laws
10 that prohibit cybercrimes against individuals;

11 (C) training such personnel to utilize Fed-
12 eral, State, local, and other resources to assist
13 victims of cybercrimes against individuals; and

14 (D) training such personnel to utilize tech-
15 nology to assist in the prosecution or adjudica-
16 tion of acts of cybercrimes against individuals,
17 including the use of technology to protect vic-
18 tims of such crimes;

19 (3) training for State or local emergency dis-
20 patch personnel relating to cybercrimes against indi-
21 viduals, including—

22 (A) training such personnel to identify and
23 protect victims of cybercrimes against individ-
24 uals;

1 (B) training such personnel to utilize Fed-
2 eral, State, local, and other resources to assist
3 victims of cybercrimes against individuals;

4 (C) training such personnel to utilize tech-
5 nology to assist in the identification of and re-
6 sponse to cybercrimes against individuals; and

7 (D) the payment of overtime incurred as a
8 result of such training;

9 (4) assistance to State or local law enforcement
10 agencies in enforcing laws that prohibit cybercrimes
11 against individuals, including expenses incurred in
12 performing enforcement operations, such as overtime
13 payments;

14 (5) assistance to State or local law enforcement
15 agencies in educating the public in order to prevent,
16 deter, and identify violations of laws that prohibit
17 cybercrimes against individuals;

18 (6) assistance to State or local law enforcement
19 agencies to establish task forces that operate solely
20 to conduct investigations, forensic analyses of evi-
21 dence, and prosecutions in matters involving
22 cybercrimes against individuals;

23 (7) assistance to State or local law enforcement
24 and prosecutors in acquiring computers, computer
25 equipment, and other equipment necessary to con-

1 duct investigations and forensic analysis of evidence
2 in matters involving cybercrimes against individuals,
3 including expenses incurred in the training, mainte-
4 nance, or acquisition of technical updates necessary
5 for the use of such equipment for the duration of a
6 reasonable period of use of such equipment;

7 (8) assistance in the facilitation and promotion
8 of sharing, with State and local law enforcement of-
9 ficers and prosecutors, of the expertise and informa-
10 tion of Federal law enforcement agencies about the
11 investigation, analysis, and prosecution of matters
12 involving laws that prohibit cybercrimes against indi-
13 viduals, including the use of multijurisdictional task
14 forces; or

15 (9) assistance to State and local law enforce-
16 ment and prosecutors in processing interstate extra-
17 dition requests for violations of laws involving
18 cybercrimes against individuals, including expenses
19 incurred in the extradition of an offender from one
20 State to another.

21 (d) REPORT TO THE SECRETARY.—On the date that
22 is 1 year after the date on which a State or unit of local
23 government receives a grant under this section, and annu-
24 ally thereafter, the chief executive of such State or unit

1 of local government shall submit to the Attorney General
2 a report which contains—

3 (1) a summary of the activities carried out dur-
4 ing the previous year with any grant received by
5 such State or unit of local government;

6 (2) an evaluation of the results of such activi-
7 ties; and

8 (3) such other information as the Attorney
9 General may reasonably require.

10 (e) REPORT TO CONGRESS.—Not later than Novem-
11 ber 1 of each even-numbered fiscal year, the Attorney
12 General shall submit to the Committee on the Judiciary
13 of the House of Representatives and the Committee on
14 the Judiciary of the Senate a report that contains a com-
15 pilation of the information contained in the report sub-
16 mitted under subsection (d).

17 (f) AUTHORIZATION OF APPROPRIATIONS.—

18 (1) IN GENERAL.—There are authorized to be
19 appropriated to carry out this section \$20,000,000
20 for each of fiscal years 2020 through 2024.

21 (2) LIMITATION.—Of the amount made avail-
22 able under paragraph (1) in any fiscal year, not
23 more than 5 percent may be used for evaluation,
24 monitoring, technical assistance, salaries, and ad-
25 ministrative expenses.

1 (g) DEFINITIONS.—In this section:

2 (1) The term “cybercrimes against individuals”
3 means the criminal offenses applicable in the rel-
4 evant State or unit of local government that involve
5 the use of a computer to cause personal harm to an
6 individual, such as the use of a computer to harass,
7 threaten, stalk, extort, coerce, cause fear, intimidate,
8 without consent distribute intimate images of, or vio-
9 late the privacy of, an individual, except that—

10 (A) use of a computer need not be an ele-
11 ment of such an offense; and

12 (B) such term does not include the use of
13 a computer to cause harm to a commercial enti-
14 ty, government agency, or any non-natural per-
15 sons.

16 (2) The term “computer” includes a computer
17 network and an interactive electronic device.

18 **SEC. 1502. NATIONAL RESOURCE CENTER GRANT.**

19 (a) IN GENERAL.—Subject to the availability of ap-
20 propriations, the Attorney General shall award a grant
21 under this section to an eligible entity for the purpose of
22 the establishment and maintenance of a National Re-
23 source Center on Cybercrimes Against Individuals to pro-
24 vide resource information, training, and technical assist-
25 ance to improve the capacity of individuals, organizations,

1 governmental entities, and communities to prevent, en-
2 force, and prosecute cybercrimes against individuals.

3 (b) APPLICATION.—To request a grant under this
4 section, an eligible entity shall submit an application to
5 the Attorney General not later than 90 days after the date
6 on which funds to carry out this section are appropriated
7 for fiscal year 2020 in such form as the Attorney General
8 may require. Such application shall include the following:

9 (1) An assurance that, for each fiscal year cov-
10 ered by an application, the applicant shall maintain
11 and report such data, records, and information (pro-
12 grammatic and financial) as the Attorney General
13 may reasonably require.

14 (2) A certification, made in a form acceptable
15 to the Attorney General, that—

16 (A) the programs funded by the grant
17 meet all the requirements of this section;

18 (B) all the information contained in the
19 application is correct; and

20 (C) the applicant will comply with all pro-
21 visions of this section and all other applicable
22 Federal laws.

23 (c) USE OF FUNDS.—The eligible entity awarded a
24 grant under this section shall use such amounts for the

1 establishment and maintenance of a National Resource
2 Center on Cybercrimes Against Individuals, which shall—

3 (1) offer a comprehensive array of technical as-
4 sistance and training resources to Federal, State,
5 and local governmental agencies, community-based
6 organizations, and other professionals and interested
7 parties, related to cybercrimes against individuals,
8 including programs and research related to victims;

9 (2) maintain a resource library which shall col-
10 lect, prepare, analyze, and disseminate information
11 and statistics related to—

12 (A) the incidence of cybercrimes against
13 individuals;

14 (B) the enforcement, and prosecution of
15 laws relating to cybercrimes against individuals;
16 and

17 (C) the provision of supportive services and
18 resources for victims of cybercrimes against in-
19 dividuals; and

20 (3) conduct research related to—

21 (A) the causes of cybercrimes against indi-
22 viduals;

23 (B) the effect of cybercrimes against indi-
24 viduals on victims of such crimes; and

1 (C) model solutions to prevent or deter
2 cybercrimes against individuals or to enforce
3 the laws relating to cybercrimes against individ-
4 uals.

5 (d) DURATION OF GRANT.—

6 (1) IN GENERAL.—The grant awarded under
7 this section shall be awarded for a period of 5 years.

8 (2) RENEWAL.—A grant under this section may
9 be renewed for additional 5-year periods if the At-
10 torney General determines that the funds made
11 available to the recipient were used in a manner de-
12 scribed in subsection (c), and if the recipient resub-
13 mits an application described in subsection (b) in
14 such form, and at such time as the Attorney General
15 may reasonably require.

16 (e) SUBGRANTS.—The eligible entity awarded a grant
17 under this section may make subgrants to other nonprofit
18 private organizations with relevant subject matter exper-
19 tise in order to establish and maintain the National Re-
20 source Center on Cybercrimes Against Individuals in ac-
21 cordance with subsection (c).

22 (f) REPORT TO THE SECRETARY.—On the date that
23 is 1 year after the date on which an eligible entity receives
24 a grant under this section, and annually thereafter for the

1 duration of the grant period, the entity shall submit to
2 the Attorney General a report which contains—

3 (1) a summary of the activities carried out
4 under the grant program during the previous year;

5 (2) an evaluation of the results of such activi-
6 ties; and

7 (3) such other information as the Attorney
8 General may reasonably require.

9 (g) REPORT TO CONGRESS.—Not later than Novem-
10 ber 1 of each even-numbered fiscal year, the Attorney
11 General shall submit to the Committee on the Judiciary
12 of the House of Representatives and the Committee on
13 the Judiciary of the Senate a report that contains a com-
14 pilation of the information contained in the report sub-
15 mitted under subsection (d).

16 (h) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out this section
18 \$4,000,000 for each of fiscal years 2020 through 2024.

19 (i) DEFINITIONS.—In this section:

20 (1) CYBERCRIMES AGAINST INDIVIDUALS.—The
21 term “cybercrimes against individuals” has the
22 meaning given such term in section 1501(g).

23 (2) ELIGIBLE ENTITY.—The term “eligible enti-
24 ty” means a nonprofit private organization that fo-
25 cuses on cybercrimes against individuals and that—

1 (A) provides documentation to the Attor-
2 ney General demonstrating experience working
3 directly on issues of cybercrimes against indi-
4 viduals; and

5 (B) includes on the entity's advisory board
6 representatives who have a documented history
7 of working directly on issues of cybercrimes
8 against individuals and who are geographically
9 and culturally diverse.

10 **SEC. 1503. NATIONAL STRATEGY, CLASSIFICATION, AND RE-**
11 **PORTING ON CYBERCRIME.**

12 (a) **DEFINITIONS.**—In this section:

13 (1) **COMPUTER.**—The term “computer” in-
14 cludes a computer network and any interactive elec-
15 tronic device.

16 (2) **CYBERCRIME AGAINST INDIVIDUALS.**—The
17 term “cybercrime against individuals” means a Fed-
18 eral, State, or local criminal offense that involves the
19 use of a computer to cause personal harm to an in-
20 dividual, such as the use of a computer to harass,
21 threaten, stalk, extort, coerce, cause fear, intimidate,
22 without consent distribute intimate images of, or vio-
23 late the privacy of, an individual, except that—

24 (A) use of a computer need not be an ele-
25 ment of the offense; and

1 (B) the term does not include the use of a
2 computer to cause harm to a commercial entity,
3 government agency, or non-natural person.

4 (b) NATIONAL STRATEGY.—The Attorney General
5 shall develop a national strategy to—

6 (1) reduce the incidence of cybercrimes against
7 individuals;

8 (2) coordinate investigations of cybercrimes
9 against individuals by Federal law enforcement
10 agencies; and

11 (3) increase the number of Federal prosecutions
12 of cybercrimes against individuals.

13 (c) CLASSIFICATION OF CYBERCRIMES AGAINST IN-
14 DIVIDUALS FOR PURPOSES OF CRIME REPORTS.—In ac-
15 cordance with the authority of the Attorney General under
16 section 534 of title 28, United States Code, the Director
17 of the Federal Bureau of Investigation shall—

18 (1) design and create within the Uniform Crime
19 Reports a category for offenses that constitute
20 cybercrimes against individuals;

21 (2) to the extent feasible, within the category
22 established under paragraph (1), establish subcat-
23 egories for each type of cybercrime against individ-
24 uals that is an offense under Federal or State law;

1 (3) classify the category established under para-
2 graph (1) as a Part I crime in the Uniform Crime
3 Reports; and

4 (4) classify each type of cybercrime against in-
5 dividuals that is an offense under Federal or State
6 law as a Group A offense for the purpose of the Na-
7 tional Incident-Based Reporting System.

8 (d) ANNUAL SUMMARY.—The Attorney General shall
9 publish an annual summary of the information reported
10 in the Uniform Crime Reports and the National Incident-
11 Based Reporting System relating to cybercrimes against
12 individuals.

Passed the House of Representatives April 4, 2019.

Attest:

CHERYL L. JOHNSON,

Clerk.

Calendar No. 66

116TH CONGRESS
1ST SESSION

H. R. 1585

AN ACT

To reauthorize the Violence Against Women Act of
1994, and for other purposes.

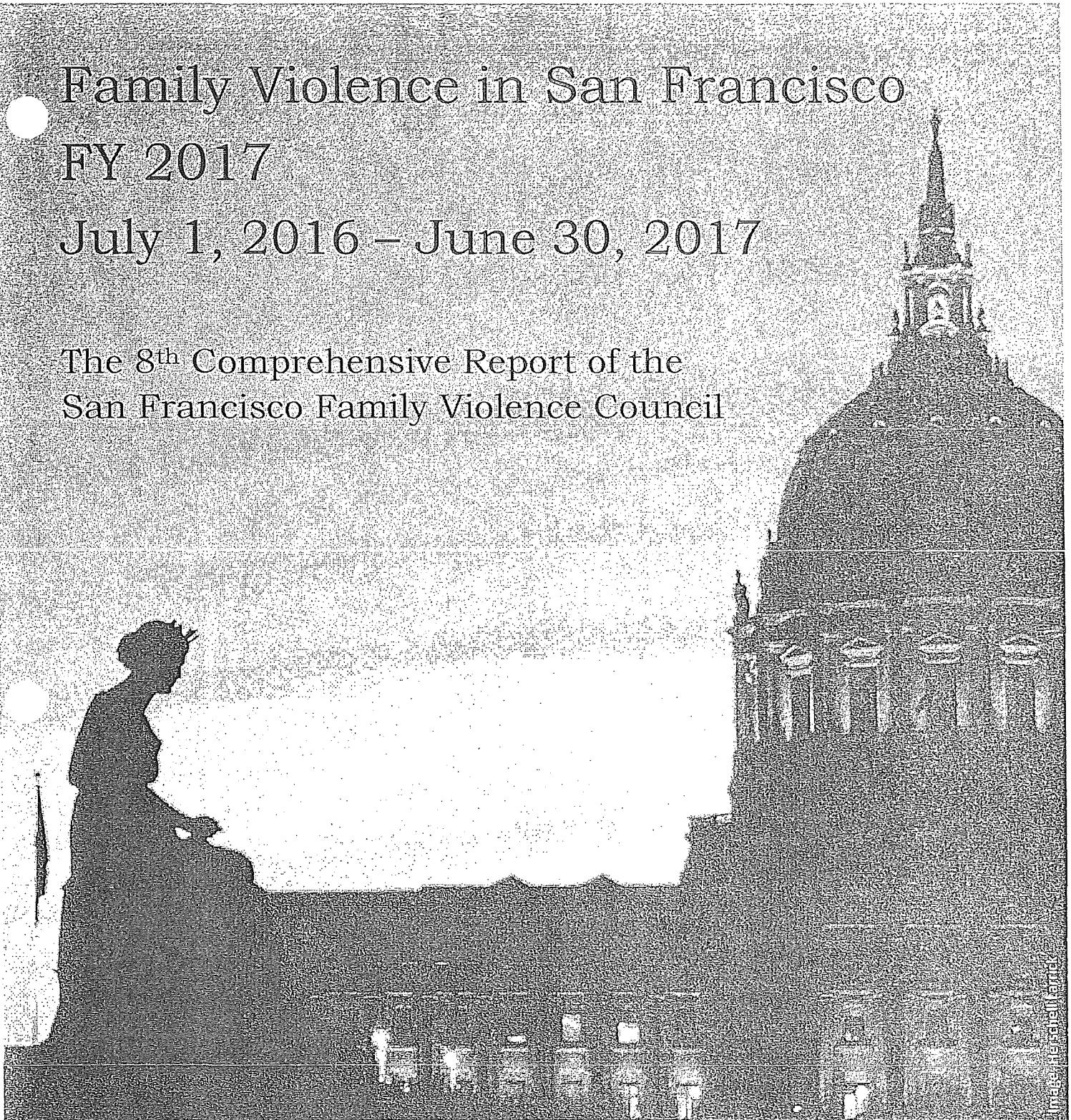
APRIL 10, 2019

Read the second time and placed on the calendar

Family Violence in San Francisco FY 2017

July 1, 2016 – June 30, 2017

The 8th Comprehensive Report of the
San Francisco Family Violence Council



City and County of San Francisco
Department on the Status of Women



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Shawna Reeves, Director of Elder Abuse Prevention, Institute on Aging

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The Family Violence Council is administered by the Department on the Status of Women, under the supervision of Dr. Emily M. Murase, Executive Director.

Visit <https://sfgov.org/dosw/family-violence-reports> to download a copy of this report.

Issued January 2019

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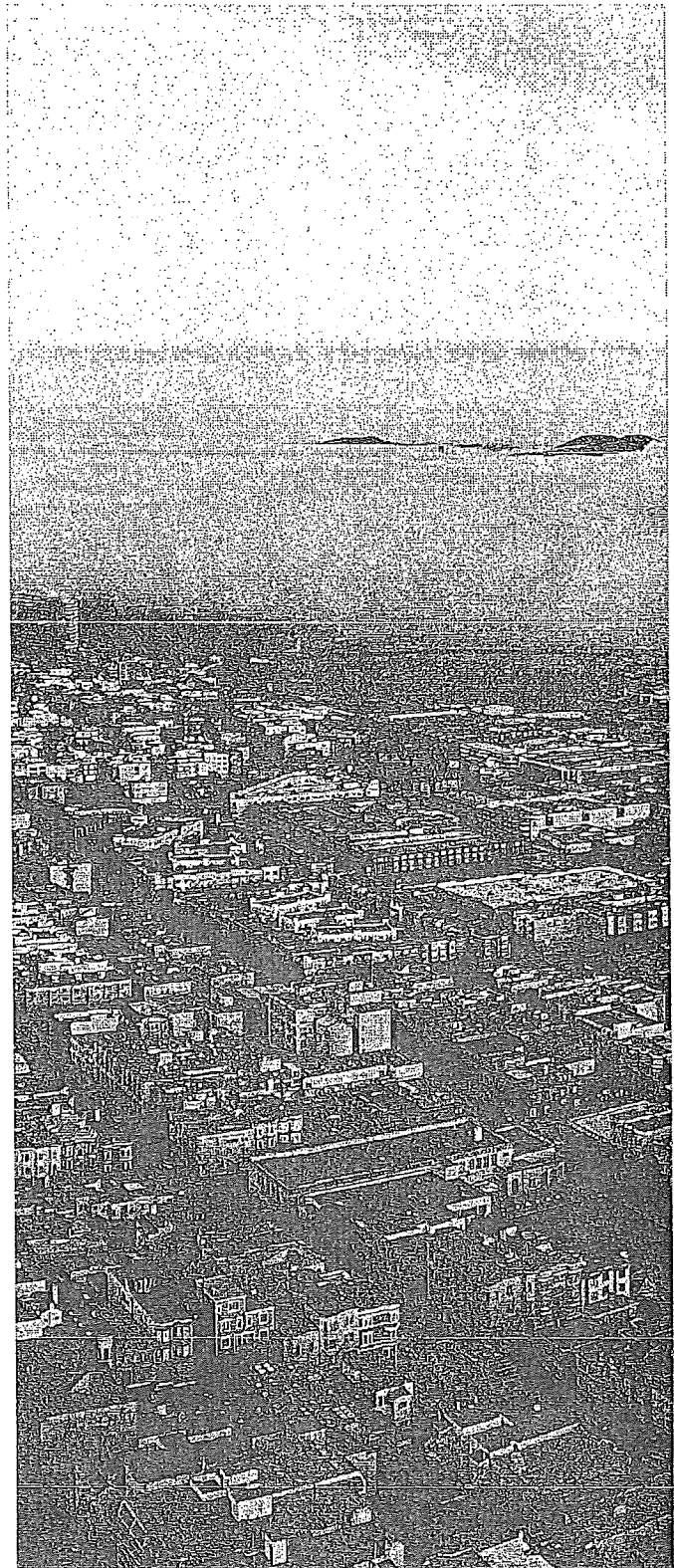


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Executive Summary

RATES

- 11% increase in survivors supported by community-based agencies specializing in domestic violence, sexual violence and human trafficking.
- Substantiated cases of child abuse reduced by 25% compared to CY 2016, and 37% compared to CY 2014. Overall, rates of abuse per thousand children have declined by 67% since 2003.
- 18% increase in substantiated cases of Dependent Adult abuse.

KEY ISSUES ARISING

GENDER

- Females far more likely to be victims of domestic violence – and more likely than males to be victimized younger.
- Girls far more likely to experience all forms of sexual child abuse and exploitation.
- In elder abuse, overall rates are not strongly gendered. But women tend to experience more 'severe' forms of abuse and are more likely to have experienced multiple forms of abuse.

RESOURCING

- For every individual served in emergency shelter, four were turned away.
- SFPD Special Victims Unit has just 60% of the staff capacity recommended by the Police Executive Research Forum.
- The number of 911 dispatch staff reduced from around 150 in prior years to below 120 in FY 2017. There was an 11% reduction in domestic violence 911 calls.

ACCOUNTABILITY

- Over last three years, 56% of domestic violence offenders in the Manalife Batterer Intervention Program were terminated or returned to custody.
 - 40% (171) of domestic violence probationers exhibited noncompliant behavior that was addressed by the Court in 2017.

RACE

- 28 in every 1,000 Black children have had cases of abuse involving them substantiated. For Native American children, it is 25; Latinx is seven; White children is two.
- San Francisco compares unfavorably to California. Both have Black populations of around 6%, yet Black children made up 38% of substantiated abuse allegations in San Francisco, compared to 15% in California.
- Since 2014, 98% of all victims of sexual abuse have been children of color.
- Age intersects with race: of the Police domestic violence cases involving victims under 18, 47% of all victims were Latinx. Of cases where the victim was over 60, 37% were Black.
- Black survivors are more likely than any other race to receive support from a criminal justice agency rather than an independent, confidential community-based service.

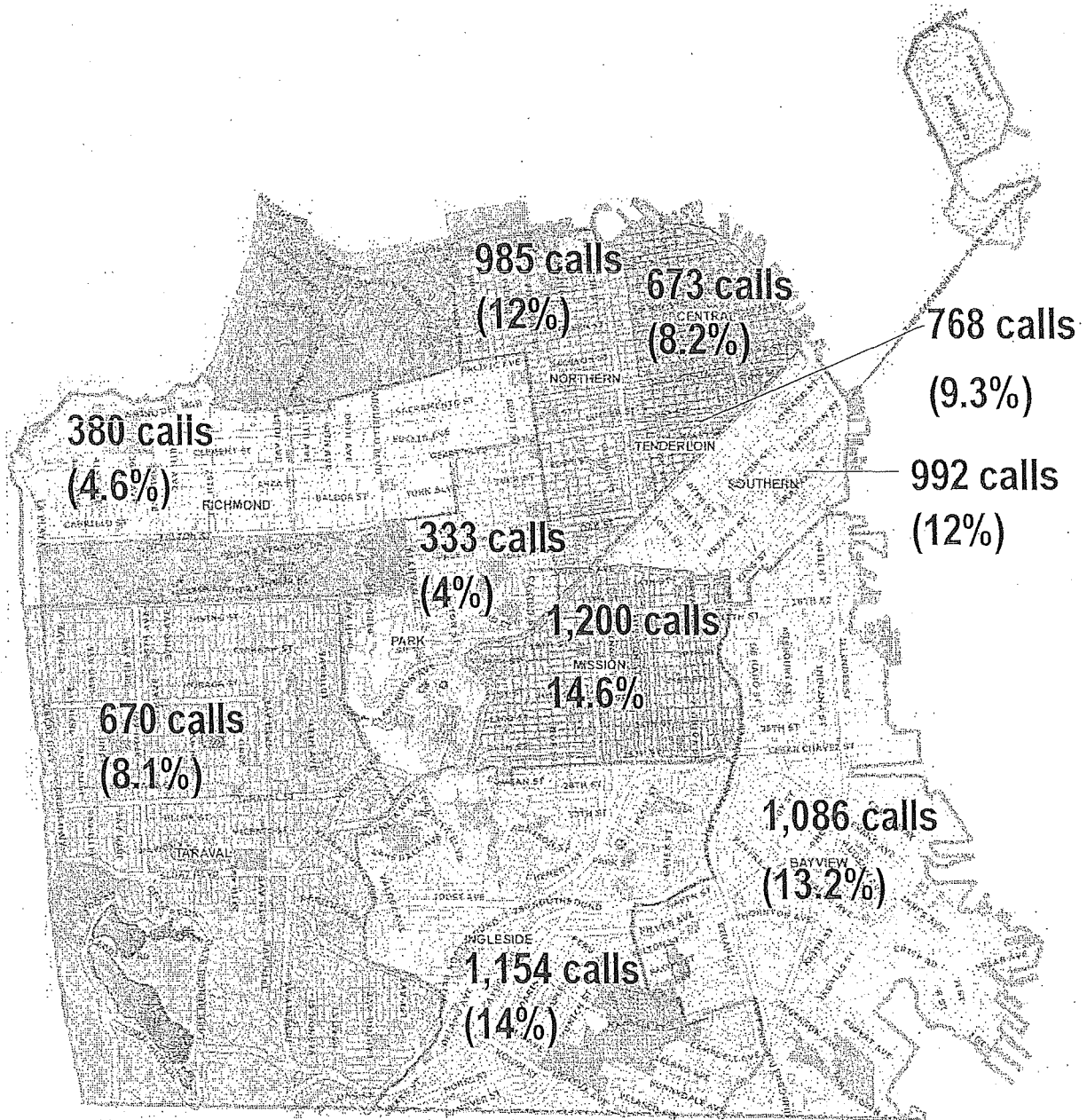
RESPONSE FROM AGENCIES

- Domestic violence prosecutions decreased by 19%.
- Arrest rate for child abuse fell by five percentage points to 15%.
- Female domestic violence victims are sometimes arrested after calling the police on their partners, with charges never filed or quickly dropped.

GUNS

- 911 domestic violence calls involving guns reduced by just 1%. They remain 69% above 2014 level. Half of all San Francisco domestic violence homicides since FY 2014 have involved guns.

Number of Family Violence 911 calls across San Francisco Police Districts, 1 FY 2017



¹ Includes domestic violence, elder abuse and child abuse, including Code 288 (sexual abuse of a minor), which has not been included in previous reports.

Introduction

Aims of this report

Individuals may be vulnerable to different forms of violence at different stages of life. Child abuse, domestic violence (also known as intimate partner violence or IPV), and elder or dependent adult abuse are all forms of family violence that have traumatizing and far-reaching effects on individuals, families, and entire communities. Family violence can include abuse that is physical, sexual, psychological, or economic, and is characterized by behaviors that are used to isolate, neglect, or exercise power and control over a person.

This comprehensive report, compiled by the San Francisco Department on the Status of Women and approved by the San Francisco Family Violence Council, includes data from more than 10 City public agencies and 27 community-based organizations.

The report aims to:

- Fulfill one of the Council's key priorities of tracking and analyzing of the levels of family violence in San Francisco and year-to-year trends;
- Provide qualitative and quantitative data on family violence in San Francisco, including information on what forms of abuse are taking place; which groups may be more vulnerable to violence; who is doing what to whom; what is happening to survivors, suspects, and known perpetrators following abuse; and the impact of violence on our community;
- Present San Francisco's successes in preventing family violence, including strategies for building stronger families, educating communities, and reducing risk factors;
- Inform policy-making and funding decisions by detailing where survivors of family violence access support and protection, and the extent to which providers meet survivors' needs and hold perpetrators accountable;
- Recommend systemic reform of policy, protocols and practice to prevent, and mitigate the impact of, family violence throughout our community.

The San Francisco Family Violence Council

San Francisco's prioritization of family violence manifests in the active involvement of many City departments and non-profits in both their individual programs to prevent and respond to family violence and in the work of the Family Violence Council. In 2007, San Francisco became the first county in California to broaden the scope of its Attorney General mandated Domestic Violence Council to include child abuse and elder abuse along with domestic violence. The Council was originally established by local ordinance to increase awareness and understanding of family violence and its consequences,

and to recommend programs, policies, and coordination of City services to reduce family violence in San Francisco.

San Francisco recognizes the importance of providing a broad range of access points for survivors of abuse. As of 2018,² 26 agencies are official members of the Family Violence Council. (See Appendix X for a list of all member agencies.) The Council is tri-chaired by three community-based experts in the different forms of family violence. They are:

- Katie Albright, Executive Director of Safe & Sound
- Beverly Upton, Executive Director of the San Francisco Domestic Violence Consortium
- Shawna Reeves, Director of Elder Abuse Prevention at the Institute on Aging

The Family Violence Council meets four times a year, with its committees meeting more frequently. It recommends family violence-related policy reforms in its annual report and helps implement them in the City. (See page 14 for a list of the Council's latest achievements.)

The Council's Recommendations for 2019 – based on insight from its agencies and the data contained in this report – are on page 6. For the Council's progress on its 2017 Recommendations, see page 16.

The structure of this report

This year's report is structured according to the important questions readers may have about family violence in San Francisco. It is divided up according to the three different forms, so that readers interested in a specific form of abuse can easily access the information they need. Each chapter includes a summary of its key findings.

This division is for the purposes of clarity; it does not seek to detract from the fact that all three forms of family violence are deeply interconnected, and often rooted in the same issues. Factors in both individuals' lives and the communities in which they live can leave people more or less vulnerable to all forms of abuse.³ The Center for Disease Control's *Connecting the Dots* report details how violence can be 'transmitted' inter-generationally. It is important to note that most people who are victims of violence do not act violently. Yet research tells us that those who experience or are exposed to one form of violence are at a higher risk of both being a victim of other forms of violence and of inflicting harm on others.⁴ One purpose of a Family Violence Council that encompasses child abuse, domestic violence, and

² Three new members were added in 2018, when the Family Violence Council Ordinance was renewed. These were: the San Francisco Medical Examiner; the Department of Homelessness and Supportive Housing; and First Five. The Chair of the Consortium of Batterer Intervention Programs was removed from the Council, as this consortium no longer exists.

³ For more on risk factors, see Wilkins, N., Tsao, B., Hertz, M., Davis, R., Kleven, J. (2014). *Connecting the Dots: An Overview of the Links Among Multiple Forms of Violence*. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention Oakland, CA: Prevention Institute. Available here:

https://www.cdc.gov/violenceprevention/pdf/connecting_the_dots-a.pdf

⁴ Ibid.

elder abuse is to recognize this interconnectedness, and address the silos that can exist in intervening in and preventing abuse across the lifespan.

For this year's report, additional data was requested from agencies in order to delve further into victims' experiences of abuse. It presents data on the specific forms of abuse individuals are experiencing – including who the abuse is perpetrated by – and the extent to which demographic factors impact these experiences. To present a broad range of data in a readable form, this report generally includes the past three to four years of data. Data from earlier years in prior reports can be accessed online at <http://sfgov.org/dosw/family-violence-reports>.

In FY 2016, the Family Violence report covered child abuse first, then domestic violence, then elder abuse. This year's report begins with domestic violence, and next year's will begin with elder abuse. The placement order of each form of abuse is not intended to attribute importance. Neither is the length of chapter: there is more data available for domestic violence and child abuse than for elder abuse, for example, as elder abuse has, historically, been less recognized.

Note on language

Agencies that contributed data to this report use different language to describe those who have experienced or perpetrated abuse. We recognize that language is important, and that each person affected by abuse should have the right to identify as they see fit. However, for the purposes of this report, we will refer to those individuals who have experienced abuse by the most appropriate word for the context. For example, when discussing data from the police or District Attorney, the report uses the word 'victims', as this is the term used in the legal system. When discussing data from community-based organizations, the report uses 'clients' or 'survivors'.

It is also important to note the difference between terms like 'cases', 'incidents,' and 'violations,' and individual people, particularly when it comes to the criminal justice system. One individual may be involved in several cases, or have committed several violations of probation, for example. Similarly, one survivor may have experienced several 'incidents'. The report endeavors to make clear when the data refers to individual people, and when it does not.

Note on data

It is important to note that this report does not provide an unduplicated count of victims of family violence. There is currently no method for tracking an individual from program to program or service to service. For example, it is possible that a domestic violence survivor could be counted in data from the Police Department, the Trauma Recovery Center and a community-based organization. The possibility of the duplicated count of some, or even many, individuals is likely.

Recommendations for 2019

(New recommendations are in red.)

Recommendation	Rationale	Responsible Agency
Protocols and Practice		
<p>1. Implement a firearms surrender program to remove guns from domestic violence offenders who have restraining orders issued against them.</p>	<p>There has not been any significant drop in the number of 911 domestic violence calls involving firearms since FY 2016, and 69% more calls than in FY 2014. Half of the domestic violence related homicides in San Francisco from 2014-2017 involved guns.</p>	<p>Sheriff Department</p>
<p>2. Ensure the cross-referring of domestic violence cases to Child Protective Services Update the supplemental domestic violence form used by San Francisco Police Department to include a check box on whether a child, in the home during a domestic violence call, has been referred to Child Protective Services, and why.</p>	<p>The Police Department Domestic Violence General Order was updated in 2014 to add guidance on which domestic violence cases should trigger a referral to Family and Children's Services. However, data suggests that many officers are not familiar with these provisions. Including the information on the supplemental domestic violence form will help ensure that the General Order is followed and that appropriate referrals are made to Family and Children's Services.</p>	<p>San Francisco Police Department</p>
<p>3. Enhance accountability around Batterer Intervention Programs Adult Probation Department to present to the Family Violence Council on how outcomes are tracked across certified batterer intervention and child abuse intervention programs in San Francisco, and what those outcomes are. Family Violence Council to seek funding for a recidivism study, to establish how</p>	<p>We would like to expand on the batterer intervention program data we received from the Sheriff's Department, and include data from the Adult Probation Department, which oversees the majority of batterer intervention programs.</p>	<p>Adult Probation Department</p>

Recommendation	Rationale	Responsible Agency
effective the city's batterer intervention and child abuse intervention programs are.		
<p>4. Institute a domestic violence assessment tool to be used by criminal court judges in pre-trial bail/release decisions and in sentencing domestic violence cases.</p>	<p>With recent state-wide bail reform, it is critical to put in place mechanisms to ensure the safety of domestic violence victims pending trial.</p> <p>Adult Probation Department has a current pilot project using the ODARA (domestic violence risk assessment tool) for those on supervision. The Court has requested that the ODARA tool be expanded for pretrial use.</p>	<p>Superior Court; District Attorney; Public Defender; Department on the Status of Women; Domestic Violence Consortium; Adult Probation</p>
<p>5. Ensure adequate and consistent staffing at the Special Victims Unit:</p> <p>A. Maintain consistent leadership with Captains and Lieutenants at Special Victims Unit for at least 2 years.</p> <p>B. Increase staffing at the San Francisco Police Department Special Victims Unit, to the level recommended by the Police Executive Research Forum.</p>	<p>It is extremely challenging to enact the important policy and protocol changes at the Special Victims Unit when leadership is constantly rotating.</p> <p>In 2008, the Police Executive Research Forum performed an organizational audit of the San Francisco Police Department and included staffing recommendations for various units. The recommendations for the units that now comprise the Special Victims Unit amount to 65 investigators, which is roughly double the staffing currently in the unit.</p>	<p>San Francisco Police Department</p>
<p>6. Ensure San Francisco Police Department complies with Family Code section 6228:</p> <p>A. Implement immediately a system that provides the enumerated victims their incident report within the statutory deadline;</p> <p>B. Provide information on SFPD's website about how victims of domestic violence, sexual</p>	<p>Family Code section 6228 requires the Police Department to provide survivors of domestic violence, elder abuse, and sexual assault copies of their police report within five days of a request, and 10 if there is good cause. SFPD is currently not in compliance with this law; numerous advocates have assisted clients who have not been able to get their reports in a timely manner.</p>	<p>San Francisco Police Department</p>

Recommendation	Rationale	Responsible Agency
<p>assault, stalking, human trafficking, elder/dependent adult abuse can obtain their incident report pursuant to Family Code § 6228;</p> <p>C. Monitor compliance with the statutory deadline and report to the Police Commission its compliance with the Family Code §6228 on a quarterly basis.</p>		
<p>7. Prioritize implementation of the finalized Police Department/Adult Protective Services cross-reporting protocol for investigating elder abuse.</p>	<p>To ensure prompt coordination between the two agencies responsible for investigating elder abuse in San Francisco, the cross-reporting protocol should be implemented.</p>	<p>San Francisco Police Department Adult Protective Services Institute on Aging</p>
<p>8. Finalize Domestic Violence Manual for Police Department</p>	<p>The existing Police Department General Order on domestic violence does not contain detailed guidance for patrol officers on best practice for responding to domestic violence calls, so a detailed manual is needed to provide that guidance.</p>	<p>San Francisco Police Department; District Attorney's Office; Department on the Status of Women; Domestic Violence Consortium</p>
<p>9. Finalize Elder Abuse Manual for Police Department</p>		<p>San Francisco Police Department; Adult Protective Services; Institute on Aging</p>
<p>10. Support the work of the Children's Advocacy Center public-private partnership to implement best practices</p> <ul style="list-style-type: none"> o Recommend that the Children's Advocacy Center partners continue their work 		<p>Family Violence Council and the partners of the Children's Advocacy Center</p>

Recommendation	Rationale	Responsible Agency
<p>to improve protocols, practices, data-sharing, and training, as well as invest in needed medical staff and equipment, to ensure that children and dependent adults receive forensic interviews and supportive services at the accredited Children's Advocacy Center located at 3450 Third Street.</p>		
<p>11. Develop Unit Orders at the Police Department Special Victims Unit for the Assignment of Child Abuse and Elder Abuse cases for investigation.</p>	<p>Assignment Orders for Domestic Violence cases has helped ensure that cases do not fall through the cracks, particularly when defendants are gone by the time police arrive on scene. Similar standardization would benefit elder abuse and child abuse cases.</p>	<p>San Francisco Police Department; Family & Children's Services; Safe & Sound; Adult Protective Services; Institute on Aging</p>
<p>12. Standardize criteria for which deaths should be considered by death review teams to be child abuse, domestic violence, or elder abuse deaths. Create standards for cases that should be reviewed, reporting protocols, and cross-county collaboration protocols.</p> <p>A. Convene a subcommittee of the Justice and Courage Committee to explore policy solutions and models of domestic violence death review teams.</p> <p>B. Death review teams should also outline team objectives, roles, and responsibilities.</p>	<p>San Francisco went 44 months without a domestic violence homicide, between 2010-2104. However there have been 13 domestic violence related homicides from 2014-2017, and an ongoing death review team could help identify patterns or factors which could be used to inform prevention or response strategies.</p>	<p>Justice and Courage Committee</p>

Training & Outreach

<p>13. Conduct targeted primary aggressor training for police officers arresting victims of domestic violence.</p> <p>A. Investigate any patterns to which police districts are arresting survivors who report abuse from their partners and are later released without charge, and obtain demographic data on these cases.</p> <p>B. Train first-response officers to recognize the primary aggressor in a domestic violence situation.</p>	<p>Data from the Sheriff Department's Survivor Restoration Program shows that significant numbers of their survivor-clients had been arrested for domestic violence and released soon afterwards.</p>	<p>Sheriff Department (Survivor Restoration Program audit cases);</p> <p>Police Department (implement training)</p>
<p>14. Improve child abuse reporting trainings</p> <p>A. SFUSD will continue to provide annual Child Abuse Mandated Reporter Training for educators as required by California Education Code 44691. This online training will be completed within the first 6 weeks of each school year or the first 6 weeks of employment for new staff hired after school starts. An in-person training will be provided to student support professionals at least every other year.</p> <p>B. Recommend that the state Office of Child Abuse Prevention, division of Department of Social Services, translate the on-line child abuse reporting training into different languages and incorporate instruction on implicit bias.</p>	<p>AB 1432 and AB 1207 have taken the positive step of requiring mandated reporters, who are employees of school districts and licensed childcare facilities, to take an online training regarding mandated reporting (http://mandatedreporter.ca.com/). Although this training covers the essential material, it lacks an interactive element and does not provide an opportunity for questions or dialogue. In order to overcome some of the barriers to reporting, in-person training for student support professionals will provide opportunities to ask questions about specific situations and past experiences.</p>	<p>San Francisco Unified School District and Children's Council of San Francisco</p>

<p>15. Increase awareness of elder victims of intimate partner violence Institute on Aging and Adult Protective Services to work on an awareness-raising campaign for 2019 World Elder Abuse Awareness Day (WEAAD) in June, to increase visibility of older people experiencing intimate partner violence, and the specific challenges they face. For example, partners using their capacity as caregivers to control and isolate. Explore the use of flashcards and information on intimate partner violence, control and isolation to educate adults with disabilities and older adults at senior centers and other key settings.</p>	<p>There were 550 clients over 65 served by community-based organizations that serve survivors of domestic and sexual violence, and human trafficking.</p>	<p>Adult Protective Services; Institute on Aging</p>
<p>16. Conduct child abuse, domestic violence and elder abuse trainings led by community-based organizations at the Police Academy and other Police Department trainings</p> <p>A. Raise needed funds to develop a directory of the trainings community-based organizations can offer, for distribution amongst Family Violence Council members.</p> <p>B. Raise needed funds to convene a multi-disciplinary and cross-disciplinary committee to conduct a needs assessment for county-wide trainings on all forms of family violence.</p>	<p>Community based agencies can offer a vital perspective on the issues of family violence.</p>	<p>Family Violence Council, Department on the Status of Women, Safe & Sound, Institute on Aging, and Domestic Violence Consortium</p>

Planning, Research, & Data Collection

<p>17. Create a plan to offer batterers intervention programs for monolingual Cantonese speakers</p>	<p>There is currently no batterer intervention program for Chinese monolingual speakers.</p>	<p>Adult Probation Department; Superior Court</p>
<p>18. Gather information on what service needs are not being met for domestic violence survivors and map existing services. Expand tracking of shelter turn aways to include other services that survivors cannot access.</p>	<p>Every year, around 80% of those seeking emergency shelter due to domestic violence are turned away in San Francisco. We have not tracked other service "turn aways."</p>	<p>Department on the Status of Women/Violence Against Women grantees</p>
<p>19. Focus on 'engineering for equity' approach in Violence Against Women-Grant funded community services, particularly in relation to African American survivors of all forms of family violence.</p>	<p>Black adults are disproportionately represented in domestic violence victim data across all agencies. Twenty-eight in every 1,000 Black children have cases of child abuse involving them substantiated. However, less than twice as many Black victims are getting support in confidential, independent community-based organizations than are being supported via criminal justice agencies.</p>	<p>Department on the Status of Women/Violence Against Women grantees</p>
<p>20. Recognize and support the Our Children Our Families Council (OCOF) action to adopt a county-wide child maltreatment target to reduce substantiated allegations of child maltreatment for all race/ethnicities to 3.0 per 1,000 children by 2023. Essential partner agencies of Family Violence Council should work to provide OCOF with necessary data and input and to participate in the working group that will develop an action plan to reach the target.</p>	<p>This target is aligned with the State of California Let's Get Healthy California initiative. The target would reflect a 25% decrease in substantiated cases of maltreatment for all children across the county. In terms of the impact relating to disproportionate rate of abuse reported in specific communities, the target would reflect a reduction of 93% for African American children, 88% for Native American children, and 65% for Latinx children.</p>	<p>Family Violence Council with key support from the Our Children Our Families Council; Safe & Sound; and Human Services Agency</p>

<p>21. Compile and assess research regarding the root causes of neglect and community-wide solutions to effectively address these causes Family Violence Council and its partner agencies seek to develop a plan for compiling and assessing this research.</p>	<p>General neglect continues to be the most common form of child abuse – it was present in 69% of substantiated child abuse cases in FY 2017.</p>	<p>Family Violence Council and its partner agencies with key support from Safe & Sound; Human Services Agency; and First 5</p>
<p>22. Recommend that the Police Department disaggregate data that it receives on allegations of child abuse perpetrated by an adult other than a family member.</p>	<p>In Family and Children’s Services data, ‘Other known person’ is the largest category when it came to the suspect’s relationship to the victim, for both boys and girls. This category should be disaggregated to describe the relationship to the child to better understand when and how children are encountering suspected abusers.</p>	<p>San Francisco Police Department</p>
<p>23. Work to improve data on LGBTQ families and individuals.</p>		<p>All</p>
<p>24. Meet with key representatives from the Police Department Special Victims Unit bi-annually, to discuss trends and challenges with investigations of child and elder abuse and domestic violence.</p>		<p>Family Violence Council members and San Francisco Police Department</p>
<p>25. Convene a workgroup to focus on capturing prevention measures for the Family Violence Council Annual Report. Workgroup will also expand the Family Violence Council’s focus on health equity, and social and racial justice.</p>		<p>Department on the Status of Women; First 5; Department of Public Health; and Human Services Agency</p>
<p>26. Organize a Strategic Planning Retreat for the Family Violence Council in 2019.</p>		<p>Department on the Status of Women Domestic Violence Consortium Safe & Sound Institute on Aging</p>

Achievements of the Family Violence Council in 2018

- There has been significant progress made towards the **implementation of a Firearms Surrender Program** to remove guns from persons who commit domestic violence. The Adult Probation Department has created a firearm surrender unit to comply with the requirements of Proposition 63.⁵ The Sheriff's Department will implement a program to pursue defendants who were ordered through a civil restraining order to return a firearm but have not.
- In May 2018, the Board of Supervisors passed an **Ordinance re-authorizing the Family Violence Council**, which was signed by the then Mayor Mark Farrell. The renewal recognized the critical work of the Council and expanded its membership. To further strengthen the City's collaborative approach to addressing abuse, the **new members are: First 5 San Francisco, the Medical Examiner's Office, and the Department of Homelessness and Supportive Housing.**
- The **Domestic Violence Lethality Assessment Program** has been operating in the Bayview District since June 2017 as part of a grant funded by the Department of Justice, Office of Violence Against Women. The aim of the project is to better identify domestic violence victims at high risk of death or serious injury, connect them to community-based services, and follow up with the most at-risk cases. The pilot partners are the Department on the Status of Women, the Police Department, District Attorney's Office, La Casa de las Madres, Glide, and the Bayview YMCA. Bayview District police officers responding to the scene of a domestic violence incident have now been trained to administer a screening tool developed by researchers who have identified high risk factors in domestic violence cases. Victims who are considered to be at higher risk based on the screening tool, or the officer's instinct, are immediately connected by phone with a domestic violence advocate from La Casa de las Madres. More than half of the victims whom police screened as at high risk of lethality chose to speak to a La Casa de las Madres advocate at the scene, and 77% of those accessed further services from La Casa.
- There have been regular meetings this year of a **Child Welfare and Domestic Violence workgroup**, made up of City agencies and community-based organizations. Representatives work together to develop best practices in responding to families where domestic violence and child abuse are co-occurring.

⁵ Proposition 63 requires defendants convicted of firearm-prohibiting crimes, including domestic violence, to provide proof that they sold or transferred their firearms within specified timeframes after conviction, and that probation officers and courts to verify compliance. For the full text of the Proposition, see here: http://downloads.capta.org/leg/BallotMeasures/Prop63_FullText.pdf

- The Council has begun to **explore primary prevention work**. It hosted a presentation from the Prevention Institute on a multi-sector, health equity approach to family violence in the Spring of 2018, and has convened a workgroup to further explore prevention efforts.
- **Child Death Review Team partners** successfully completed a review of child fatalities over the past 12 years since 2005. Its review determined that there was one child fatality as a result of abuse in 2010 and two in 2015. There have been no confirmed cases since that time.
- A collaborative of 7 Family Resource Centers and the Cooperative Restraining Order Clinic developed trainings and service delivery models to **integrate supportive services and education to those exposed to family violence**. This work was made possible because the Board of Supervisors awarded a one-time grant of \$250,000 to support child abuse prevention efforts following a presentation on the Family Violence Council.

Progress on 2017 recommendations

	Recommendation	Progress
<i>Protocols and Practice</i>		
1.	Increase staffing for Police Department Special Victims Unit	In the fall of 2017, 13 additional sergeants were assigned to the Special Victims Unit. However, the Special Victims Unit is still staffed at roughly half the level it requires.
2.	Prioritize implementation of the finalized Police Department/Adult Protective Services cross-reporting protocol for investigating Elder Abuse	Cross reporting protocol has been folded into Elder Abuse Manual, which is in final stages of editing, and will then need to be reviewed and approved by the Police Department and District Attorney's Office. (See Recommendation 4 below.)
3.	Finalize Domestic Violence manual for Police Department Special Victims Unit	The Domestic Violence manual has been drafted and is being reviewed by the District Attorney's Office.
4.	Finalize Elder Abuse manual for Police Department Special Victims Unit	Manual is in final stages of editing and will then need to be reviewed and approved by the Police Department and District Attorney's Office.
5.	Review the Police Department's Special Victims Unit annually, to assess best practice for investigation of child abuse, elder abuse and domestic violence.	<ul style="list-style-type: none"> • The Police Department implemented an evidence-based best practice Domestic Violence Lethality Assessment Program in the Bayview District, which went live in June 2017. In the first year of the program: <ul style="list-style-type: none"> • 55% of the victims who screened in as high lethality chose to speak to the La Casa hotline advocate on site; and • 77% of victims who spoke to a La Casa advocate from the scene accessed further services from La Casa; • 27% of the victims who spoke with the hotline advocate accessed shelter as part of their safety plan.

6a.	Standardize criteria for which deaths should be considered by death review teams to be child abuse, domestic violence or elder abuse deaths. Create standards for deaths that should be reviewed, reporting protocol, and cross-county collaboration protocol, including outlining team objectives, roles and responsibilities.	<ul style="list-style-type: none"> Members of the Child Death Review Team executed a confidentiality agreement and are finalizing a charter to establish the foundation of working together to on criteria for the reviewing and reporting of child deaths. The Family Violence Council Tri-chairs met with Medical Examiner in December 2017, and the 2018 revisions to the Family Violence Council added the Medical Examiner as an official member of the Council.
6b.	Convene a subcommittee of the Justice and Courage committee to explore policy solutions and models of domestic violence death review teams.	<ul style="list-style-type: none"> Members of the Justice and Courage committee have attended death review teams in other jurisdictions to learn about various models. The Department on the Status of Women, Police Department, District Attorney's Office, and several community-based organizations received a 3-year<u>3-year</u> continuation of an Office of Violence Against Women grant, which includes funding for staffing a death review team.
7.	Support the work of the Children's Advocacy Center public-private partnership to implement updated practices for sharing information during a child abuse investigation, as well as use of a shared database.	
8.	Implement Firearms Surrender Program to remove guns from persons who have domestic violence restraining orders issued against them.	The Adult Probation Department has created a firearm surrender unit to comply with the requirements of Proposition 63, which came into effect in January 2018. The Sheriff's Department will be able to use some overtime hours towards

		removing firearms from restrained parties in the orders that it serves. The Sheriff's Department has developed a brochure on its availability to serve restraining orders, and the Court is providing these brochures to all persons filing restraining order requests.
9.	Finalize protocol for "gone on arrival cases" for Police Department, District Attorney's Office and Adult Probation Department.	This has been incorporated into the Domestic Violence Manual that is in progress.
	Offer Batterers Intervention Programs for monolingual Cantonese speakers, and for persons with mental health problems.	
11.	Finalize Elder Abuse Investigation Tool for Police Department Special Victims Unit.	Tool has been finalized but not implemented.
12.	Develop Unit Orders at the Police Department Special Victims Unit for the Assignment of child abuse and elder abuse cases for investigation.	Assignment order for child abuse cases is in progress. Assignment order for elder abuse cases is in progress.
13.	Work to improve data on LGBTQ families and individuals.	Current report includes some LGBTQ data.
<i>Training</i>		
14.	Members will report information on what family violence related training is being received by Family Violence Council member agencies.	Information included in FY 2016 Family Violence Council report
15.	Conduct child abuse, domestic violence and elder abuse trainings led by community organizations at Police Academy and other Police Department trainings.	Trainings from community organizations have been taking place on an ad hoc basis.
<i>Planning</i>		
16.	Create a strategic plan for the Family Violence Council to develop a road map for the Council, and to integrate and implement the elements of the Five-Year Plan to Address Family Violence.	
17.	Organize a Strategic Planning Retreat for late 2018 or early 2019.	

18.	<p>Convene a workgroup to focus on capturing prevention measures for the Family Violence Council Annual Report. Workgroup will also expand the Family Violence Council's focus on health equity, social and racial justice</p>	<ul style="list-style-type: none"> • Family Violence Council members and community-based organizations took part in a workshop by the Prevention Institute, organized by the Department on the Status of Women • A Prevention Workgroup of Council members <u>meeting</u> was convened and has met twice so far. The group plans to undertake a mapping exercise of where agencies and services are already doing prevention work, to identify existing best practice in the city, as well as gaps. • Family Violence Council members have applied for a prevention grant from Blue Shield of CA Foundation.
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Completed



In progress



No action at present

Chapter 1: Domestic Violence

Key findings

Levels of violence:

- **11% reduction in 911 calls related to domestic violence and stalking in FY 2017.** Until this year, 911 calls had been steadily rising.
- **11% increase in the number of individuals served by community-based organizations specializing in domestic violence, sexual violence and trafficking, suggesting the drop in 911 calls does not indicate a reduction in violence.**

Nature of violence:

- **Overall, there has been a 27% reduction in 911 calls involving a weapon.** Yet the percentage of calls involving a gun has remained stagnant, reducing by just 1% since last year. The number of 911 calls involving a gun remains 69% above its FY 2014 level.

Victims of violence:

- **Demographic factors have a bearing on how vulnerable individuals are to domestic violence, and different factors intersect:**
 - Women are disproportionately victimized, and they are more likely than their male peers to be victimized younger
 - People of color are disproportionately victimized. SFPD data shows there were more domestic violence cases involving victims of color in every victim age-bracket. Notably, in cases where the victim was under 18, 47% were Latinx. In cases where the victim was over 60, 37% were Black.
 - Lesbian, gay and bisexual high school students were three-and-a-half times more likely to experience sexual dating violence than their heterosexual peers, and more than twice as likely to experience physical dating violence.
- **Victims being arrested:** There was a 38% increase in the number of survivors participating in the Sheriff Department's Survivor Restoration Program who had also been arrested for domestic violence, compared to FY 2015. Most were arrested after having called the police themselves, following abuse from a partner, and were later released without charge.
- **Emotional abuse** was the most common form of domestic violence – almost 50% of all clients in community-based organizations had experienced it.

Support for victims

- **Chronically high rates of turn-away for emergency shelter:** For every individual served in emergency shelter in 2017, four were turned away. The most common reason given for turn-away is lack of space.

- 71% increase in the number of victims supported by the District Attorney's Victim Services Division
- Race makes a difference as to where victims receive support: **Black victims are more likely than any other communities to receive support from a criminal justice agency** (namely, the District Attorney Victims Division, or the Sheriff's Department's Survivor Restoration Program) rather than an independent, confidential community-based service. Asian victims were 16 times more likely to receive support from community-based services than a criminal justice agency, whereas Black victims were just twice as likely.

Perpetrators of violence:

- **High levels of non-compliance for persons in Batterer Intervention Programs:**
 - Successful completion of the Manalive curriculum is consistently low. Of the 325 domestic violence offenders who have exited the Sheriff Department's 'Manalive' Program over the last three years, 56% were terminated from the Program or returned to custody.
- **High level of probation violations:** 171 individuals on probation for domestic violence offenses exhibited noncompliant behavior that was addressed in Court. That is 40% of all domestic violence probationers.
- **Prosecutions for domestic violence have decreased by 19%** compared to FY 2016, to 343. This is below the previous three-year average of 370. The number of arrests has increased slightly, from 1,689 to 1,760. The arrest rate has remained static, at around 52%.

Introduction

Domestic violence is a pattern of behavior whereby one person in an intimate relationship seeks to control the other through violence, coercion, intimidation or threats.

Domestic violence is not just physical abuse. Survivors have often endured multiple forms of abuse, including emotional, psychological, and financial abuse, as well as coercive and controlling behavior. They may also have been trafficked, raped, or sexually assaulted by their intimate partner, or experienced crimes like forced marriage. Domestic violence can happen to anyone, regardless of gender or sexuality.

Across the State of California, the Centers for Disease Control and Prevention (CDC) estimates that 35% of women and 31%⁶ of men have experienced domestic violence⁷ at some time during their lives.

⁶ Smith, S.G., Chen, J., Basile, K.C., Gilbert, L.K., Merrick, M.T., Patel, N., Walling, M., & Jain, A. (2017). The National Intimate Partner and Sexual Violence Survey (NISVS): 2010-2012 State Report. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention <https://www.cdc.gov/violenceprevention/pdf/NISVS-StateReportBook.pdf> p.144

⁷ Defined as sexual violence, physical violence and/or stalking by an intimate partner

However, the severity of violence and the impact it has on the individual's life is gendered. Women are more likely than men to experience multiple forms of intimate partner violence, both across their life span and within individual violent relationships.⁸ Almost one in four women (23%) have experienced severe physical violence⁹ by an intimate partner in their lifetime, compared to one in seven men. Across California, 67% of women who experienced abuse by an intimate partner also experienced impacts related to that abuse, compared to 37% of men.¹⁰ 'Impacts' describes repercussions for survivors' emotional, physical and financial wellbeing. For example, 44% of female victims experienced symptoms of Post-Traumatic Stress Disorder (PTSD), compared to 17% of male victims.¹¹ For women, domestic violence is often lethal. Between 2008 and 2014, over half (55%) of all female homicides in the U.S. were related to intimate partner violence.

Note on the data in this chapter

This chapter includes data collected from 27 community-based organizations in San Francisco, which provide confidential support to survivors of abuse. Accurate demographic data on the clients that use these services is available for individuals supported by programs funded by the Department on the Status of Women, under its Violence Against Women Grants Program, only. However, where possible, we have expanded our data collection to include organizations' entire programs (for emergency shelter services, for example) to give a broader picture of domestic violence service provision in San Francisco.

Other data in this chapter comes from various City Departments, including the Department of Emergency Management; the Police Department; the Adult Probation Department; the District Attorney's Office; the Sheriff's Department; and the Department of Public Health.

⁸ *An Overview of Intimate Partner Violence in the United States — 2010 Findings*, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention <https://www.cdc.gov/violenceprevention/pdf/ipv-nisvs-factsheet-v5-a.pdf>

⁹ Severe physical violence includes hit with a fist or something hard, kicked, hurt by pulling hair, slammed against something, tried to hurt by choking or suffocating, beaten, burned on purpose, used a knife or gun

¹⁰ Smith, S.G. et al (2017) p.158

¹¹ *Ibid.* p.162

What are the levels of domestic violence in San Francisco?

Many domestic violence victims will never tell anybody about their abuse. They may never call a crisis line or speak to an advocate, let alone report their experiences to the police. If one incident of abuse is reported to law enforcement, the same victim may have experienced hundreds of other incidents that remain unrecorded. As such, the true scale, frequency and intensity of domestic violence in San Francisco is impossible to measure.

Given these limitations, this chapter aims to build as full a picture as possible by extracting data from numerous agencies (both governmental and non-governmental) likely to encounter victims. Data from the criminal justice system – including the San Francisco Police Department (SFPD) the District Attorney's Office (DA), the Sheriff's Department and the Adult Probation Department – is prominent in this report, in part because these agencies collect the most information on victims, suspects and defendants. We have attempted to mitigate this fact by:

- 1) Including a large data set from community-based agencies, many of the clients of which may never encounter the criminal justice system.

Sourcing data from non-justice related system City agencies, including the Department of Public Health and the Human Services Agency.

Figure 1 on the following page shows data that best summarizes the levels of domestic violence in San Francisco. This chapter will explore these data in more detail under its section headings.

Figure 1 Domestic Violence in San Francisco, FY 2015 – 2017

	FY 2015	FY 2016	FY 2017	% change FY 2016 – 17
Community-based organizations: total individuals served	24,418	21,211	23,489	+11%
Domestic violence crisis line calls ¹²	21,386	18,205	14,659	-19%
Emergency shelter bed nights	16,544	17,786	17,120	-4%
911 domestic violence calls	8,719	9,000	7,980	-11%
Cases responded to by San Francisco Police Department (SFPD)	3,049	3,240	3,366	+4%
Cases investigated by SFPD SVU	1,746	1,522	1,501	-1%
SFPD arrests for domestic violence	1,648	1,689	1,760	+4%
District Attorney- cases prosecuted	414	421	343	-19%
District Attorney Victim Services: individuals served	1,419 ¹³	1,098	1,877	+71%
Adult Probation Department: Domestic Violence clients	380	347	427	+23% ¹⁴
Department of Public Health (DPH): Trauma Recovery Center domestic violence clients ¹⁵	67	54	47	-13%
DPH: Number of patients who screened positively for intimate partner violence in primary health and women's clinics	62	83	232	+180%

¹² Only counts crisis calls, not calls for information.

¹³ Includes child witnesses of domestic violence.

¹⁴ Use caution when interpreting this percentage increase. This increase reflects a difference in data reporting. In FY 2016, the APD reported figures for "active" clients only; whereas in FY 2017, the APD reported figures for both "active" and "suspended" clients. There are several reasons why probation cases may be suspended, for example, a revocation being investigated, or an individual failing to attend a court date.

¹⁵ These figures vary from those in previous reports because only domestic violence clients have been counted.

What are domestic violence victims experiencing?

Forms of abuse

Community-based services

Data from community based-organizations provides the best insight into survivors' experiences of abuse. This is because:

- The data set is large. In FY 2017, community-based organizations served almost seven times more individuals (23,489) than the number of cases the police responded to (3,366).
- Survivors' experiences of abuse are not categorized according to penal codes or criminal standards – they are based on the survivor's word alone.
- Services are confidential, so survivors may be more likely to share information about what has happened to them.

Figure 2 shows the number of instances of different types of abuse experienced by adult clients of community-based services. The chart counts 'abuses' rather than individuals; many clients experience more than one of these abuses. The most common form of abuse, with 8,316 instances, was emotional abuse. Almost half of all adult clients experienced this form.

Comparing the hours spent on different forms of intervention is another way of gauging victims' experiences of abuse, and its impacts. Figure 3 looks at one form of community-based program – legal services – and shows how clients' needs have changed year-to-year. Needs around restraining orders and family law (i.e. child contact arrangements, separation and divorce) are consistently the most common, taking up between 88 – 91% of supportive hours year on year. However, there have been some changes in the time spent on other issues: in FY 2015, just 0.5% of total supportive hours were spent supporting clients around housing. In FY 2017, it increased to 2.5%.¹⁶ Similarly, support around immigration is at its highest level in recent years.

¹⁶ The numbers are so small because many legal aid organizations (for example, Bay Area Legal Aid) supporting victims of domestic violence have a separate department working on Housing issues.

Figure 2 VAW Grant-Funded Community-Based Organizations: Adult Clients' History of Abuse Where Known, FY 2017

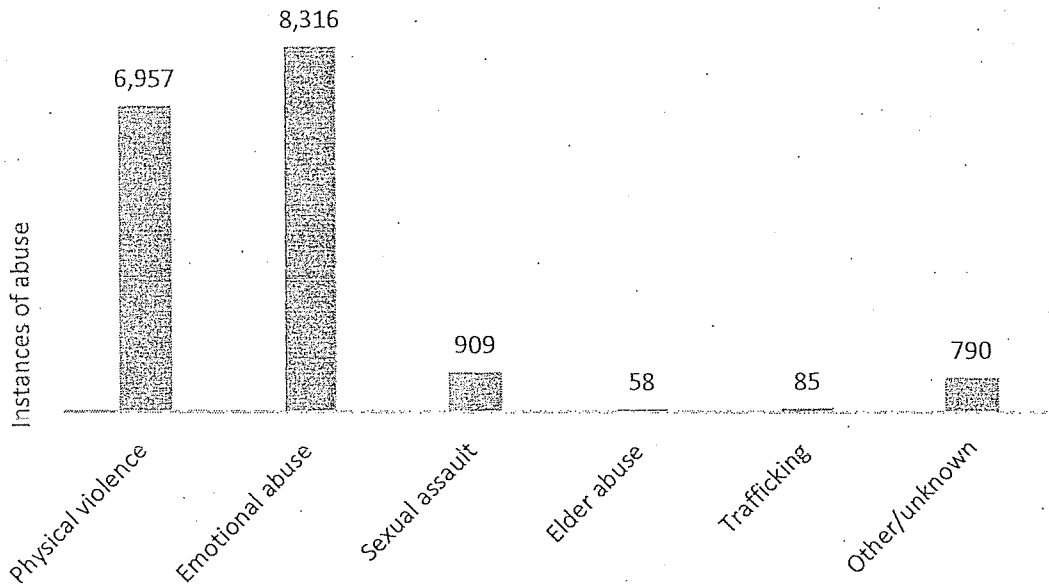
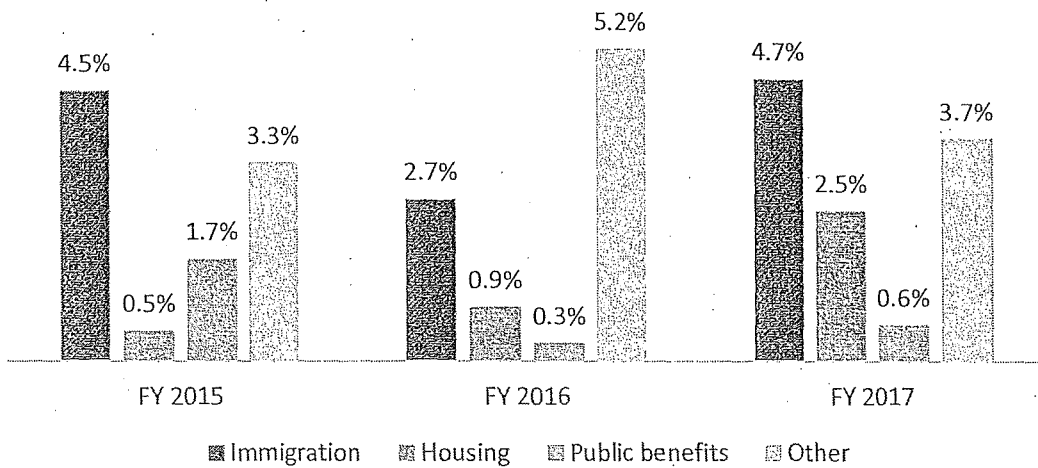


Figure 3 VAW Grant-Funded Legal Services: Proportion of Supportive Hours Spent on Different Interventions, Excluding Family Law and Restraining Orders,¹⁷ FY 2015-2017



¹⁷ Support around this category consistency makes up 88 – 91% of total supportive hours

911 calls

Although the data set is smaller, figures from the Department of Emergency Management provide a vivid picture of the kinds of crimes domestic violence victims experience at the hands of their partners.

Department of Emergency Management call handlers give each call they receive a code. The calls recorded in Figure 4, below, were all coded with one of 14 domestic violence codes, or with the stalking code '646'. Figure 4 shows that, as with previous years, the most common call codes were 'Fight or Dispute, no weapons' and 'Assault or Battery.' These constituted 86% of all domestic violence 911 calls in FY 2017.

However, a significant number of callers were also experiencing malicious threats, vandalism, break-ins and stalking. These crimes, when perpetrated against a partner or former partner, can form part of a pattern of control and psychological abuse.

Use of weapons

This report has tracked the Department of Emergency Management's data on the use of weapons for several years. Data from call handlers tells us that 116 of all family violence calls in FY 2017 involved a lethal weapon. This is a 27% reduction on FY 2016, when 159 calls involved a weapon. Of the 911 calls involving a weapon that were made, 100% related to domestic violence (as opposed to child abuse or elder abuse). This has also been the pattern in previous years.

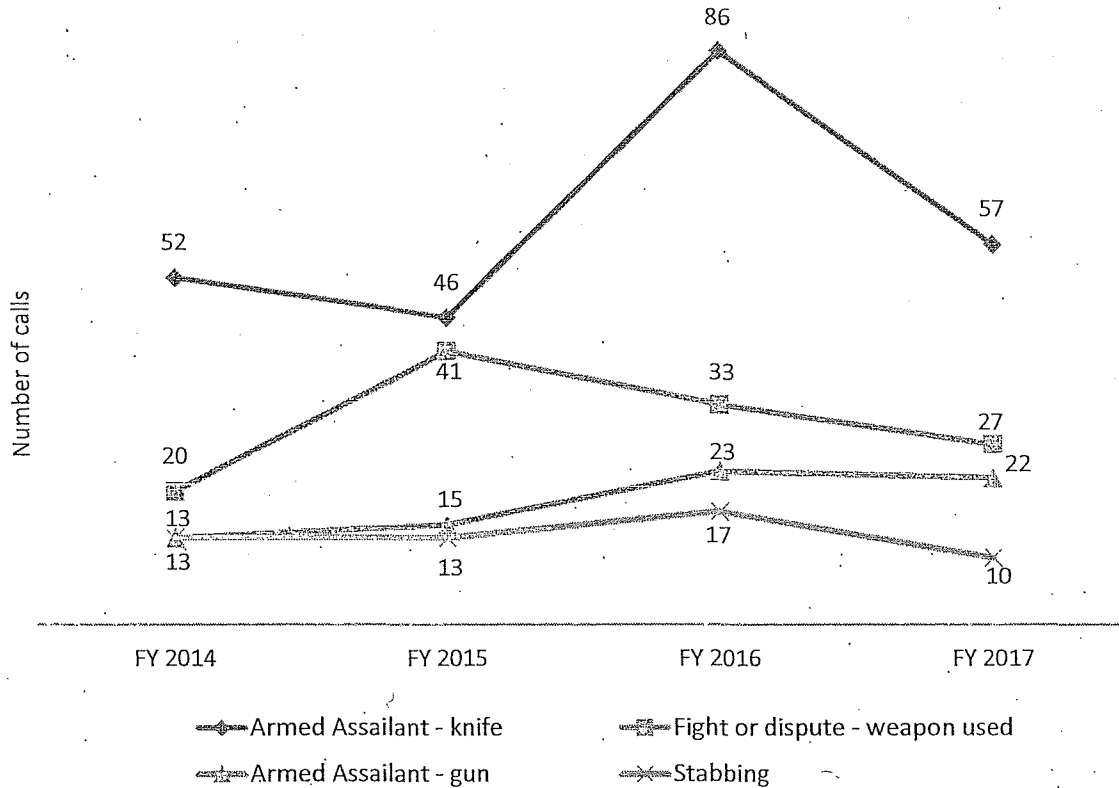
Figure 5, below, shows that the reduction in weapons calls can be attributed to drops in knife calls, stabbing calls and fight or dispute calls where a weapon was used. **There has not been a significant reduction in the number of domestic violence calls involving guns.** The figure remains significantly higher (69%) than it was in FY 2014. This is extremely concerning; research tells us that women who were threatened or assaulted with a gun or other weapon were 20 times more likely than other women to be murdered. When a gun is in the house, an abused woman was six times more likely than other abused women to be killed.¹⁸ This is why the Family Violence Council has long advocated for a firearm surrender program, to remove guns from persons who have domestic violence restraining orders issued against them. At the time of writing, the Adult Probation Department has created a firearm surrender unit to comply with the requirements of Proposition 63, which came into effect in January 2018. The Sheriff's Department is working to implement a program to pursue defendants who were ordered to return a firearm but have not.

¹⁸ Campbell, J.C. et al, 'Assessing Risk Factors for Intimate Partner Homicide', *National Institute for Justice Journal Issue No. 250* <https://www.fcadv.org/sites/default/files/Campbell%2020032.pdf> p.16

Figure 4 Department of Emergency Management: Number of Calls for Each,
FY 2014 - 2017

Call Type	Description	FY 2014	FY 2015	FY 2016	FY 2017	% change since FY 2016
418DV	Fight or Dispute – No Weapons Used	4,512	4,699	4,828	4,284	-11%
240DV	Assault/Battery (Includes Unwanted Physical Contact)	2,821	2,878	2,804	2,551	-9%
646	Stalking	376	460	539	425	-21%
650DV	Threats (Written, Verbal, or Recorded)	280	244	293	289	-1%
594DV	Malicious Mischief/Vandalism (Property Damage Only)	93	99	120	99	-18%
602DV	Break-In	83	57	71	54	-24%
245DV	Aggravated Assault (Severe Injuries or Objects Used to Injure)	81	77	88	81	-8%
222DV	Armed Assailant – Knife	52	46	86	57	-34%
416DV	Civil Standby (Officer Takes a Person to Retrieve Belongings)	51	41	41	30	-27%
646DV	Domestic Violence Stalking	36	40	44	40	-9%
419DV	Fight or Dispute – Weapons Used	20	41	33	27	-18%
219DV	Stabbing	13	13	17	10	-41%
221DV	Armed Assailant – Gun	13	15	23	22	-4%
910DV	Well-Being Check (Often at the Request of Another Individual)	5	9	13	11	-15%
100DV	Alarm (Given to a Victim to Alert 911)	1	0	0	0	N/A
	Total Domestic Violence & Stalking Calls	8,437	8,719	9,000	7,980	-11%

Figure 5 Department of Emergency Management: 911 Family Violence Calls Involving Weapons, FY 2014 - FY 2017



Although the number of 911 calls involving an assailant armed with a knife has decreased in FY 2017, it remains significantly higher (24%) than in FY 2015 (Figure 5). ‘Assailants armed with knives’ is consistently the most common form of weapons-related family violence calls. As demonstrated by the relatively low number of stabbings, knives – as well as guns – are used not just to maim and kill victims, but to threaten and control them.

San Francisco Police data – recorded in this report for the first time – also provides insight on the use of weapons in domestic violence cases specifically. Of the 3,366 domestic violence incidents SFPD encountered in FY 2017, 889 (26%) involved a weapon. In those cases where a weapon was used, 75% of suspects (655) were men (Figure 7). These data show a local picture that reflects what is happening statewide when it comes to severity of violence; in California, women were three times more likely than men to have experienced an injury resulting from their abuse.¹⁹

In terms of the number of cases, there are many more men suspected of using weapons in domestic violence cases than women – not least because there are far fewer female domestic violence suspects

¹⁹ Smith, S.G. et al (2017), pp.158 – 162 <https://www.cdc.gov/violenceprevention/pdf/NISVS-StateReportBook.pdf>

overall (Figure 6). However, by comparing Figures 6 and 7, we can see that where women were police suspects, a larger proportion of them were suspected of an incident involving a weapon.

Figure 6 San Francisco Police Department:
Gender of Domestic Violence Suspects*
Where Known
(n = 3,292)

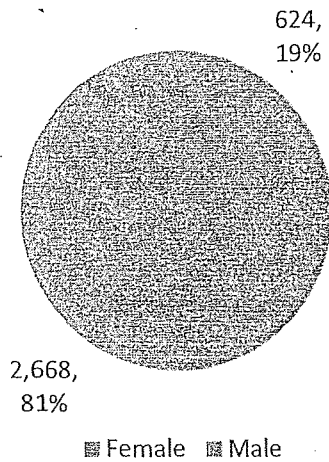
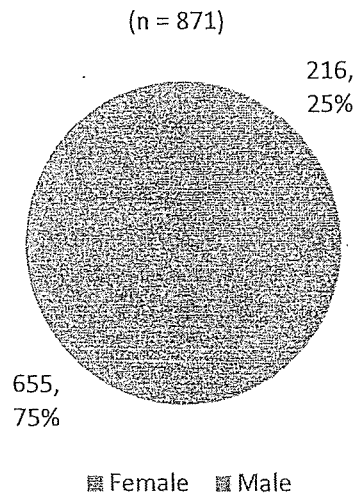


Figure 7 San Francisco Police Department:
Gender of Domestic Violence Suspects* Where
Known, Where Weapon Involved
(n = 871)



*Includes domestic violence stalking

In cases of domestic violence perpetrated by juveniles, data from the Juvenile Probation Department shows that there was a reduction in petitions for crimes involving weapons: in CY 2016, there were five cases where the reason for petition involved a deadly weapon; in 2017, it was zero.

Homicide

California

Domestic violence is a life and death issue. In 2016, the California Department of Justice has found that when the circumstances behind a homicide are known, 38% of female homicides in California were domestic violence related.²⁰

This is five percent lower than in 2015, but five percent higher than 2014. However, this figure is likely to be an underestimation. The CDC has found that in 14% of female domestic homicide cases, the suspect

²⁰ Becerra, Xavier, Attorney General, Homicide in California, California Department of Justice, (2016), p.33
<http://oag.ca.gov/crime>

is a *former* partner rather than a current partner.²¹ Yet the California Department of Justice categorizes former partners as ‘friend, acquaintance’ perpetrators rather than ‘spouse’ perpetrators.

Therefore, cases where a woman was killed by a former partner are left out of the total domestic homicide figures in California. Nationally, the CDC has found that 55% of female homicides between 2003-2014 were related to intimate partner violence. Ninety-eight percent of suspects in these cases were men.²² Data from earlier reports suggest a far smaller percentage of men—around 5 to 7%—were killed by intimate partners.

San Francisco

In San Francisco, there were two people killed by their intimate partner in 2017, and one further homicide – an officer-involved shooting – related to domestic violence. There was also one elder person killed by their adult child. Below is a summary of their cases, ordered with the most recent first. In calendar year (CY) 2017, the percentage of female homicides in San Francisco that was attributable to family violence was 50%. This is roughly in keeping with the country, but higher than in California (38%).²³

To keep better track in “real” time of domestic violence related deaths in San Francisco, the Family Violence Council Report reports on cases where a defendant has been charged with killing an intimate partner, or where from media reports it appears a death was related to domestic violence. We recognize that until there has been a final adjudication, these cannot definitively be considered domestic violence deaths. The Council also acknowledges that the cases summarized below are only the cases it knows of – there may be other cases it has not identified.

Same-sex Homicide

A white male, aged 48, was stabbed in his Hayes Valley apartment by a man he had been dating. He later died in hospital.

Transitional Age Youth Murder/Suicide

A 20-year-old Latina woman was shot by her ex-partner, the father of her child, in the Dolores Heights neighborhood. He then shot himself. Her family alleges that he had been abusive in the past.

Officer-involved Shooting

A male in his forties, who was keeping his wife and two children hostage in an apartment, was shot and killed during an officer-involved shooting, after police heard a shot fired from inside the apartment.

Elder Abuse Homicide

A white woman, aged 76 was shot by her son in his home, and later died of her injuries in hospital.

²¹ <https://www.cdc.gov/mmwr/volumes/66/wr/mm6628a1.htm>

²² Petrosky E, Blair JM, Betz CJ, Fowler KA, Jack SP, Lyons BH. ‘Racial and Ethnic Differences in Homicides of Adult Women and the Role of Intimate Partner Violence — United States, 2003–2014’, (2017) MMWR Morbidity & Mortality Weekly, Rep 2017; 66:741–746, U.S. Center for Disease Control and Prevention <http://dx.doi.org/10.15585/mmwr.mm6628a1>

²³ Becerra, Xavier, Attorney General, Homicide in California, California Department of Justice, (2016), p.33 <http://oag.ca.gov/crime>

Since 2014,
HALF
of all domestic
homicide victims
were killed by
GUNS

As in the rest of the country, women in San Francisco are more likely to be killed by an intimate partner than men. Figure 8 shows that since 2014, 67% of domestic homicide victims in San Francisco have been women, and a further 8% have been transgender women. Eighty-two percent of perpetrators were male (Figure 9). Figure 10, below, shows the number of women killed by their partners in San Francisco since 1991. Half of all domestic homicide victims in San Francisco since FY 2014 (female and male) have been killed by guns. This includes the FY 2017 homicide of the 76-year-old female.

Figure 8 Total Confirmed Cases of Domestic Homicide in San Francisco, by Gender of Victim, CY 2014 - 2017

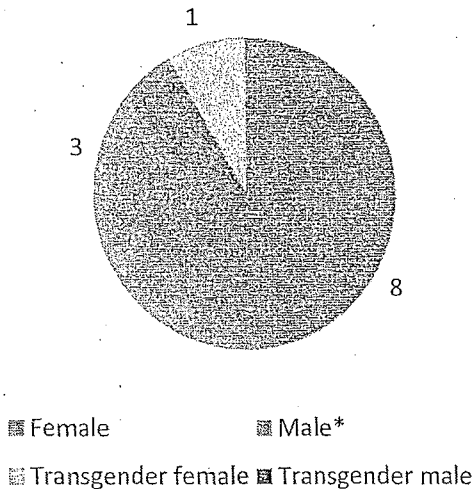
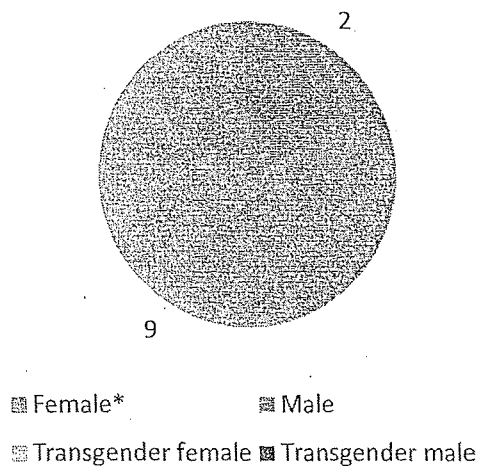
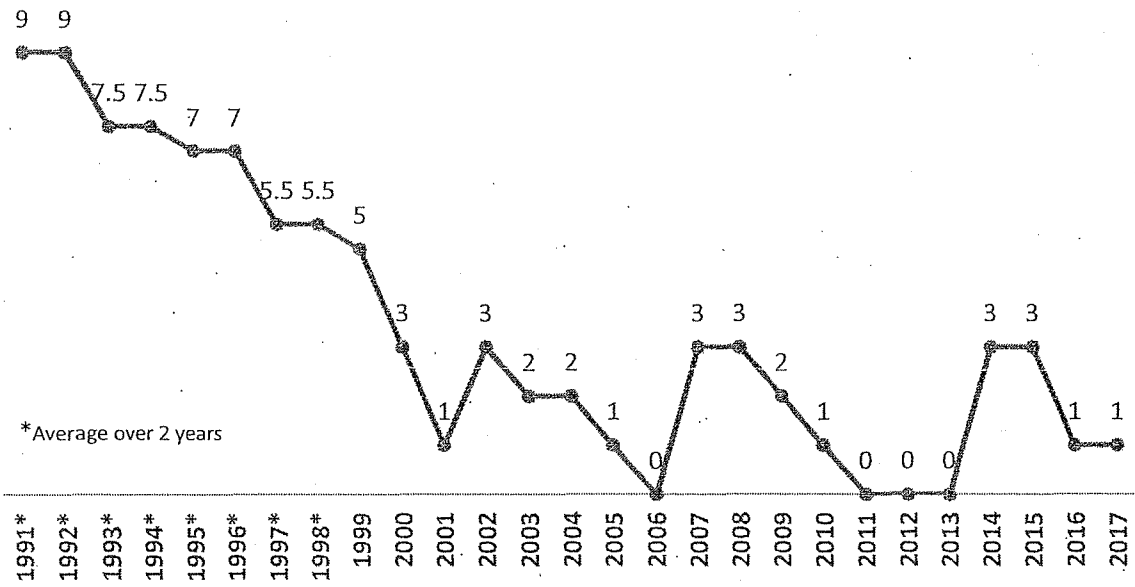


Figure 9 Total Confirmed Cases of Domestic Homicide in San Francisco by Gender of Perpetrator, CY 2014 - 2017



*In one of these cases, the female perpetrator was ~~acquitted~~ acquitted, and the homicide deemed justifiable by the jury.

Figure 10 Women Killed due to Intimate Partner Violence in San Francisco, CY 1991-2017



Where are victims seeking support?

Figure 11 Domestic Violence Cases in Different Systems, FY 2017

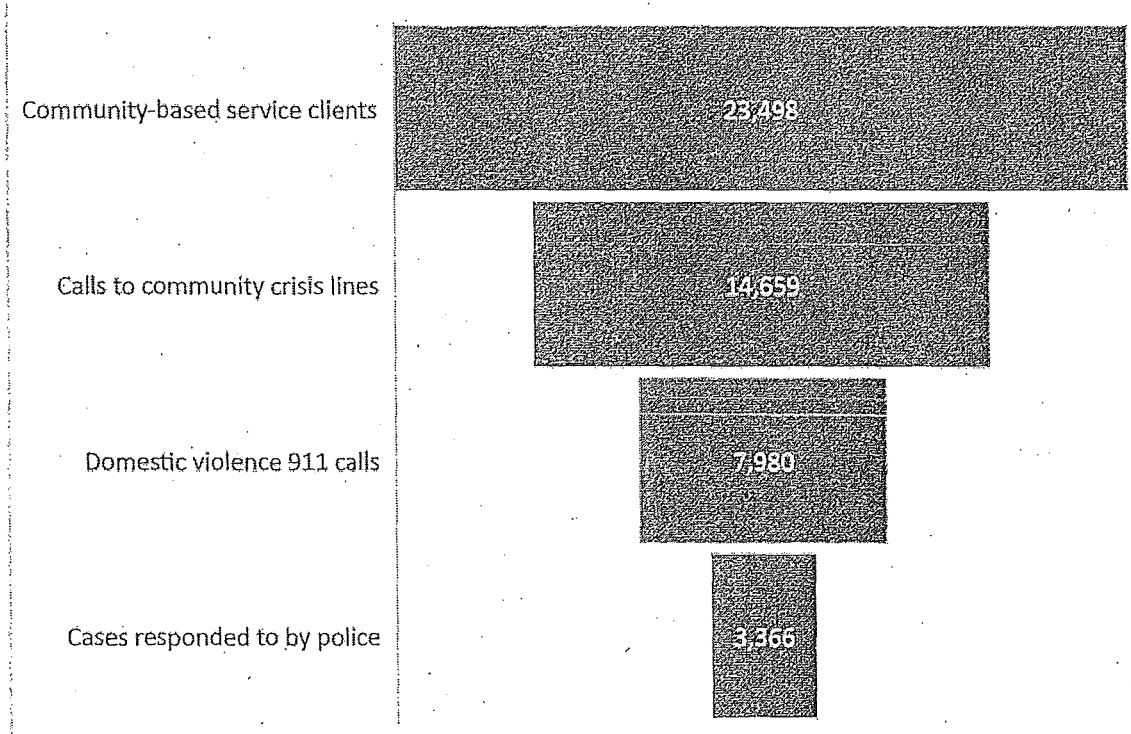
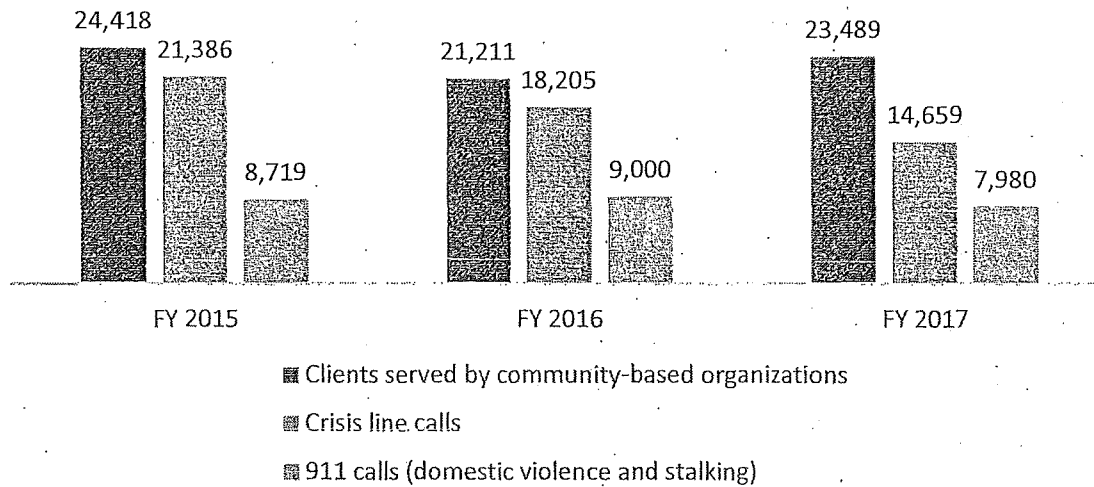


Figure 11 demonstrates the importance of community-based organizations. It shows that in FY 2017, survivors of domestic violence were far more likely to seek services in the community than call 911. There were three times as many people served in community-based organizations than those who called 911 for domestic violence, and police responded to seven times fewer cases of domestic violence than the number of individuals those community organizations served. There were also almost twice as many calls made to community crisis lines than to 911. This has been a consistent pattern in San Francisco (Figure 12, below) and reflects the national picture. A 2015 survey by the National Domestic Violence Hotline found that a quarter of women who had called police to report domestic violence or sexual assault would not call again in the future.²⁴ The majority of survey participants feared that calling law enforcement would make the situation worse; 80% who had called the police said they were afraid that if they called again in the future, officers would not believe them or not do anything about the violence.

²⁴ 2015 survey by the National Domestic Violence Hotline <https://www.usatoday.com/story/news/nation/2018/04/09/too-terrified-speak-up-domestic-abuse-victims-afraid-call-police/479855002/>

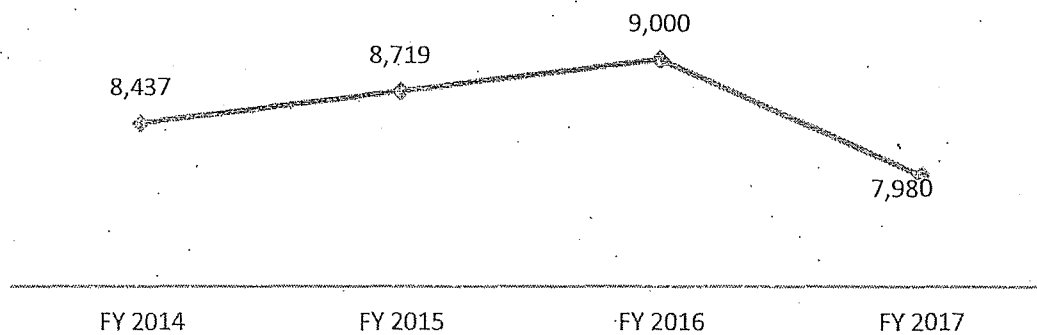
Figure 12 Number of Clients Served by Community-Based Organizations and Calls to Crisis Lines, Compared to Calls to 911, FY 2015 - 2017



The criminal justice system

Calling 911

Figure 13 Department of Emergency Management: Domestic Violence or Stalking Related 911 Calls



There has been an 11% decrease in the number of domestic violence or stalking related 911 calls in FY 2017 overall, compared to FY 2016. Analysis of the data shows that calls have dropped across all 'codes'. However, domestic violence calls as a proportion of all violence-related 911 calls has remained constant, at around 8%.

Why has there been a reduction in 911 calls?

Lack of resource to answer calls

As Figure 13 shows, until 2017, 911 domestic violence calls had been steadily climbing in San Francisco.

One explanation for the decline in number in 2017 may be understaffing in the Department of Emergency Management. Figures from the Department show that in the years 2011 – 2013, there were around 145 – 150 fully trained 911 dispatchers working. In FY 2017, the number of dispatchers dipped to below 120. Between March 2012 and December 2017, San Francisco's 911 call center was failing to meet the national baseline standard of answering 90% of the emergency calls it receives within 10 seconds. At one point in 2017, dispatchers were only able to answer 66% of calls within this time frame.²⁵ The staff shortage was due to dispatcher retirements and the amount of time it takes to fully train new dispatchers, compounded by an increased demand on the service.

Therefore, it may be that the reduction in domestic violence 911 calls in FY 2017 is due, in part, to callers giving up when they do not get a response on the line. For example, during the first hour of the power outage in April 2017, the *San Francisco Examiner* reported that 206 people hung up before their 911 calls were answered. Dispatchers not having enough time to properly record calls may also have contributed to the reduction in call figures. At the time of writing, the Department of Emergency Management had increased the number of dispatchers to 137.

Calls from immigrant populations

There is another possible explanation. Other U.S. cities have noticed similar reductions in 911 calls and attributed them to a fear of deportation amongst immigrant communities. In Houston, police recorded a 19% decrease in reports of domestic violence from the Latinx community in 2017. Police in several cities with large Latinx populations, including Los Angeles, Denver and San Diego, have also seen a decline.²⁶

Could the same thing be happening in San Francisco? Data from the Department of Emergency Management, when taken across several years, provides three possible measures of reluctance amongst immigrant communities to report domestic violence.

1. The number of requests by police officers for translation services at the scene of domestic violence incidents, following 911 calls;
2. The number of requests for translation on incoming 911 calls;
3. The neighborhoods from which domestic violence calls came.

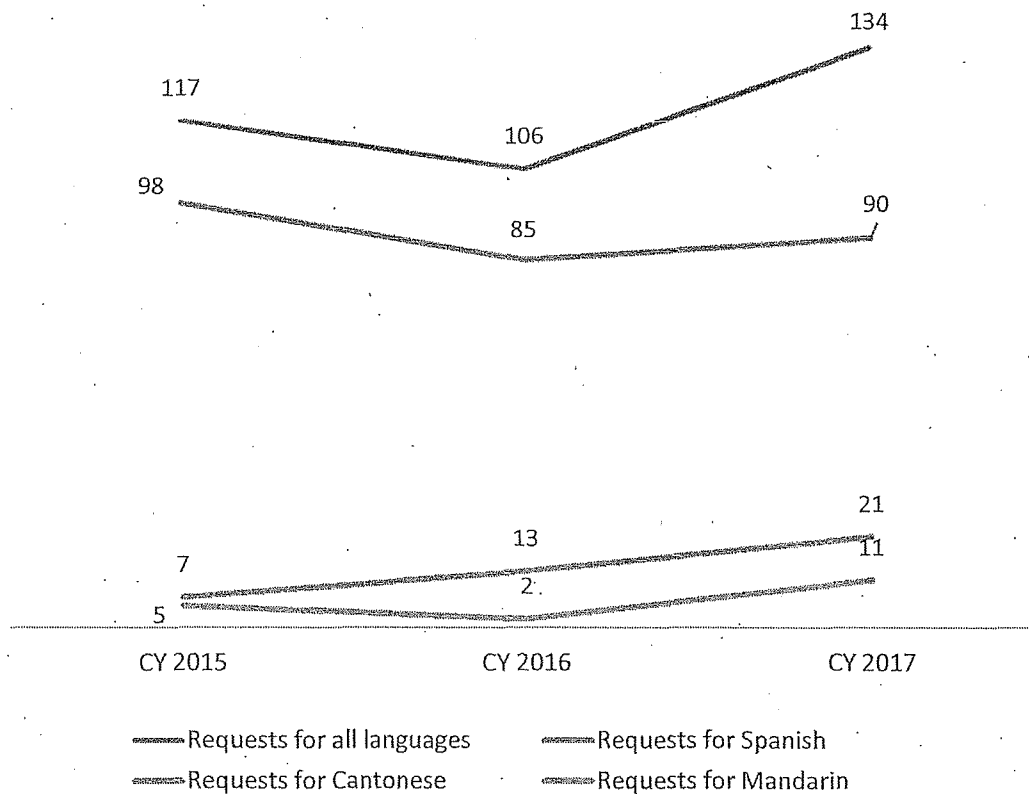
²⁵ Knight, Heather, 'San Francisco's 911 call center finally getting up to speed,' *San Francisco Chronicle* (Dec 2017) <https://www.sfchronicle.com/news/article/City-Insider-SF-911-center-finally-up-to-speed-12396961.php>

²⁶ 'Fewer Immigrants Are Reporting Domestic Abuse. Police Blame Fear of Deportation', *New York Times*, June 3, 2018 <https://www.nytimes.com/2018/06/03/us/immigrants-houston-domestic-violence.html>

It is important to note that these measures are proxies: an individual who is limited English proficient, or who belongs to a particular community, does not necessarily have insecure immigration status or fears around deportation. Notwithstanding this, it is important to measure changes in who is reporting domestic violence in any way we can, and then ask questions about why this might be.

Figure 14, below, concerns the first possible measure. It shows that in CY 2017, there was an increase in the number of translation requests made by police officers from domestic violence scenes overall. Spanish remained the most requested language. Yet translation requests for Spanish have declined by 8% since FY 2015.

Figure 14 Department of Emergency Management: Number of Police Officer Requests for Translation Services from Domestic Violence Scenes,²⁷ CY 2015 - 2017

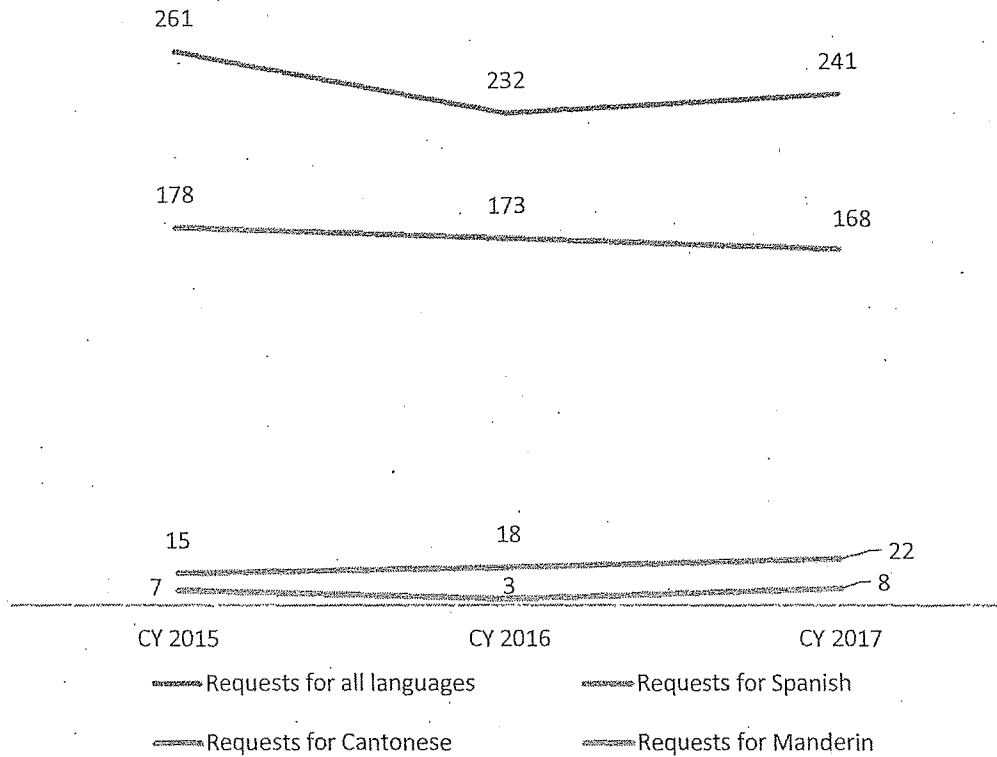


The second possible measure – translation requests from incoming 911 domestic violence calls – show a similar pattern. Requests for Spanish translation fell by 3% compared to 2016, and 6% compared to

²⁷ Only top three most-requested languages included, so sum of individual language requests on Figure 14 does not add up to 'requests for all languages' number.

2015, while the translation requests for the other most-requested languages increased (Figure 15).

Figure 15 Department of Emergency Management: Number of Translation Requests for Incoming 911 Domestic Violence Calls, CY 2015 - 2017



There are several reasons why an officer might not request translation, including being able to speak the language themselves, so it is difficult to draw conclusions from these figures. However, the decline in Spanish translation requests both from domestic violence scenes and in incoming 911 calls, might indicate that fewer Limited English Proficient Spanish-speakers are calling 911 to report domestic violence.

The Department of Emergency Management is also able to report on which neighborhoods domestic violence 911 calls come from (Figure 16). The number of domestic violence 911 calls has declined across all neighborhoods since FY 2016, apart from in Southern, where they have remained roughly the same. However, some neighborhoods have experienced a sharp decline in calls, and others have declined by just 5%.

Figure 16 Department of Emergency Management: Geographical Distribution of Domestic Violence Related 911 Calls, FY 2015 - 2017

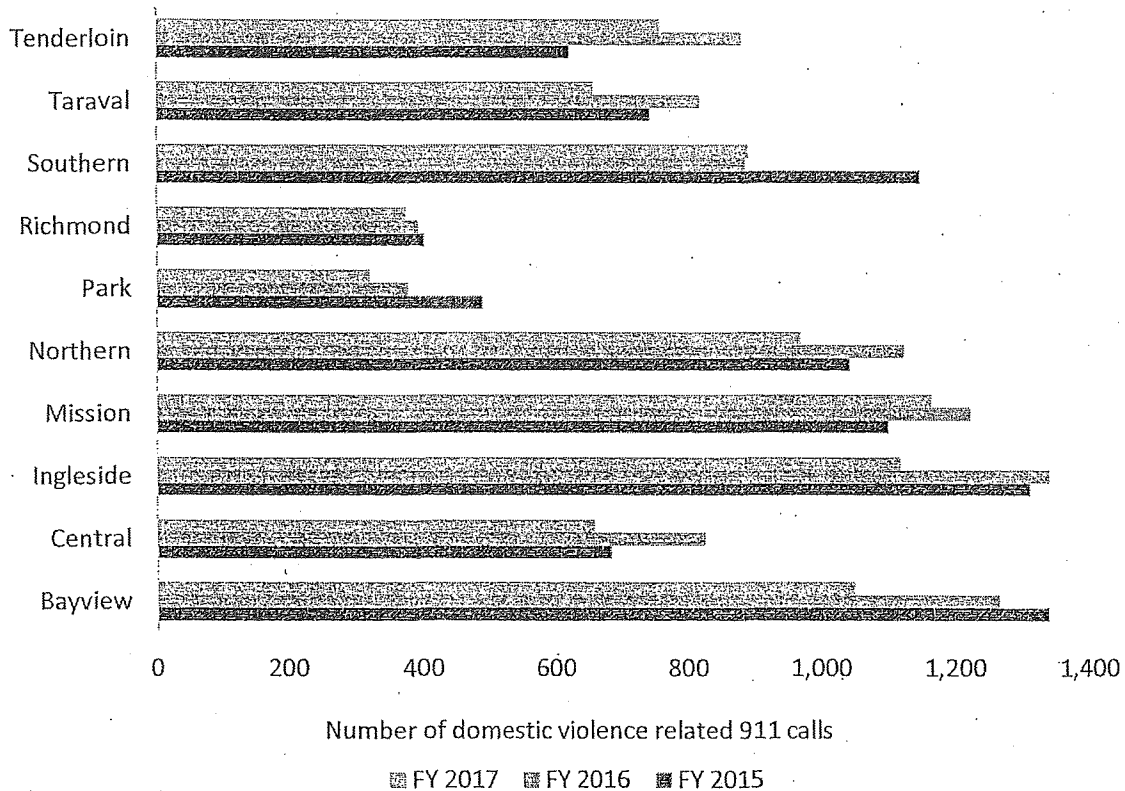
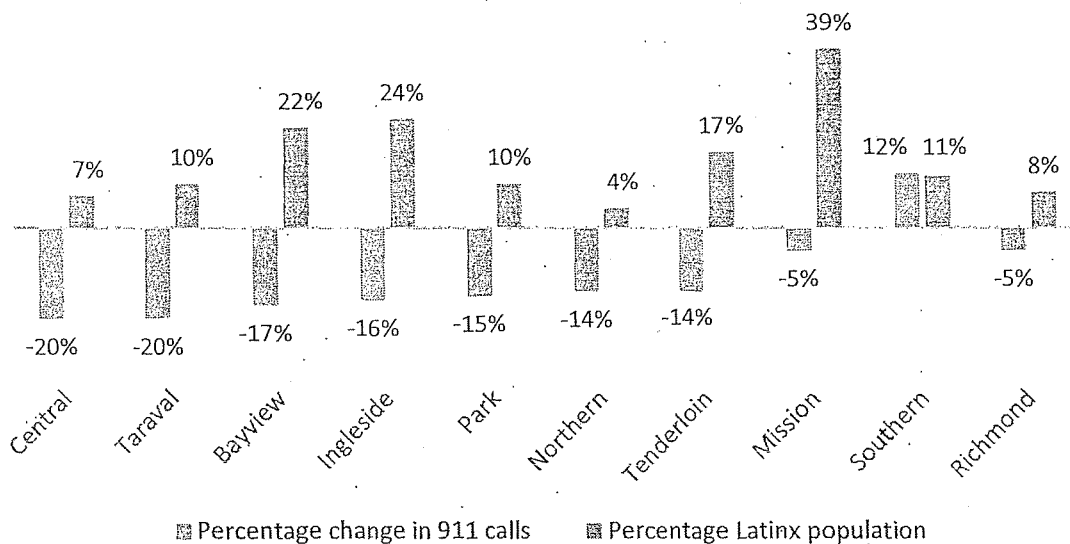


Figure 16 shows that the neighborhoods with the sharpest decline in calls between FY 2016 and FY 2017 are: Central (20% decline); Taraval (20%); Bayview (17%); Ingleside (16%); Park (15%); Northern (14%) and Tenderloin (14%).

Figure 17, below, compares the percentage drop in the number of calls to the percentage of Latinx people as a total of the neighborhood’s population. Of the four neighborhoods home to the largest percentages of Latinx residents (Mission, Ingleside, Bayview, and Tenderloin), two were among the four districts that experienced the sharpest decline in domestic violence calls to 911 – Ingleside and Bayview. However, Mission, which has the largest percentage of Latinx residents, experienced one of the lowest drops, of just 4.7%.

Of the five neighborhoods with the largest Asian populations, four also saw the sharpest declines. The same was true for the five neighborhoods with the largest Black populations. Looking at all communities of color, four out of the five neighborhoods with the largest non-white populations were in the ‘sharpest decline in 911 calls’ group.

Figure 17 Percentage Change in 911 Domestic Violence Calls Compared to Latinx Population of Neighborhood²⁸



In addition to these data from the Department of Emergency Management, research conducted for the San Francisco District Attorney’s office,²⁹ by Lauren Finke, into the underreporting of domestic violence in Latinx communities, shows a mixed picture. When asked about underreporting, social service, legal aid, and non-profit agencies said things are getting worse for Latinx survivors. The report finds that “there is a lack of specialized services for immigrant domestic violence victims, and a lack of understanding of available services and resources, including legal rights.” However, data from the District Attorney Victim Services Division showed that Latinx survivors were more likely than non-Latinx survivors to call back a victim services advocate who had reached out to them, suggesting a willingness to work with City agencies from the Latinx community. It is important to note that Finke’s report does not include police figures or data from other agencies who may (or may not) encounter victims.

Since this is the first year the *Family Violence Report* has included the ethnic breakdown of the domestic violence victims in San Francisco Police Department cases, it will be important to track the percentage of Latinx victims (and victims of all ethnic backgrounds) appearing in police data into the future. In the absence of police data from previous years, Figures 14 - 17 can provide some insight on who might be reporting – or not reporting – domestic violence.

²⁸ Using Statistical Atlas neighborhood data <https://statisticalatlas.com/school-district/California/San-Francisco-Unified-School-District/Overview>

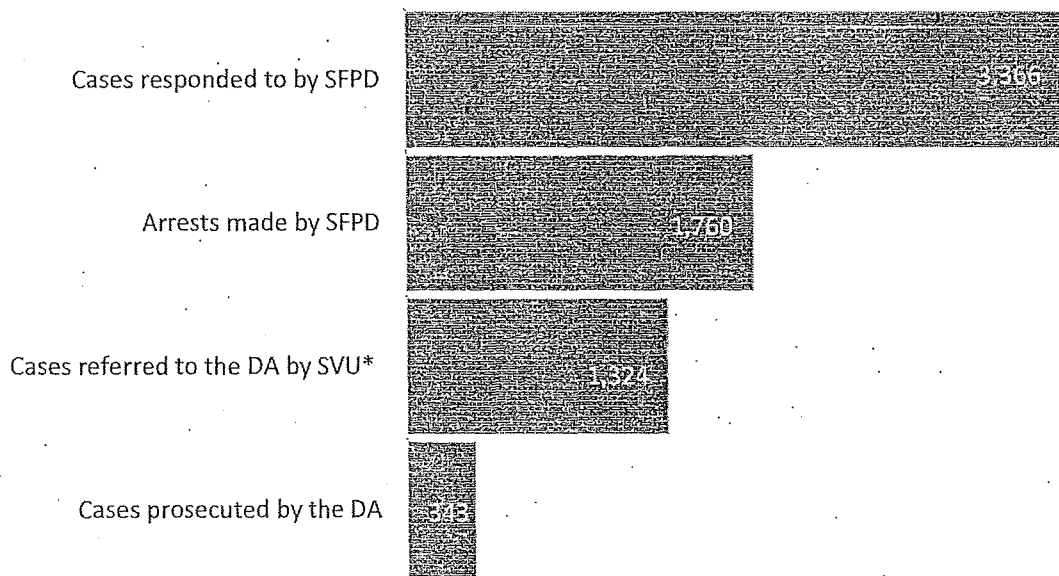
²⁹ Finke, L. *Measuring domestic violence underreporting trends in Latino communities in San Francisco* (2018) University of California, Berkeley

What happens next? Arrests and Prosecutions

For those victims who do call 911, Figure 18, below, demonstrates what happens next. There can be some measure of linear analysis when examining cases that progress through the criminal justice system, as most follow a standard path from a 911 call, to a police response, to a case referred to the District Attorney's office. However, the different fiscal years in which the same cases may enter different systems, and the many variables involved in these cases, make even this well-defined route prone to twists and turns.

Nevertheless, there is a heavy attrition when it comes to the criminal justice system, with domestic violence cases dropped at every stage: not all reports of domestic violence are investigated; not all reports that are investigated result in the arrest of a suspect; and not all arrests end in prosecution.

Figure 18 Flow of Domestic Violence Cases through the Criminal Justice System, FY 2017



*This is the San Francisco Police Department figure for cases referred to the District Attorney's Office from its Special Victims Unit, which comprises domestic violence felonies only. The DA receives misdemeanor cases directly from the district police stations, in addition to this figure. See Figure 20 for total felonies and misdemeanors received.

Figure 18 shows that just 52% of cases responded to by SFPD result in arrest, and that of those, 20% result in prosecution by the District Attorney's Office.

Figure 19 San Francisco Police Department: Domestic Violence Cases Responded to and Number of Arrests, FY 2015 - 2017

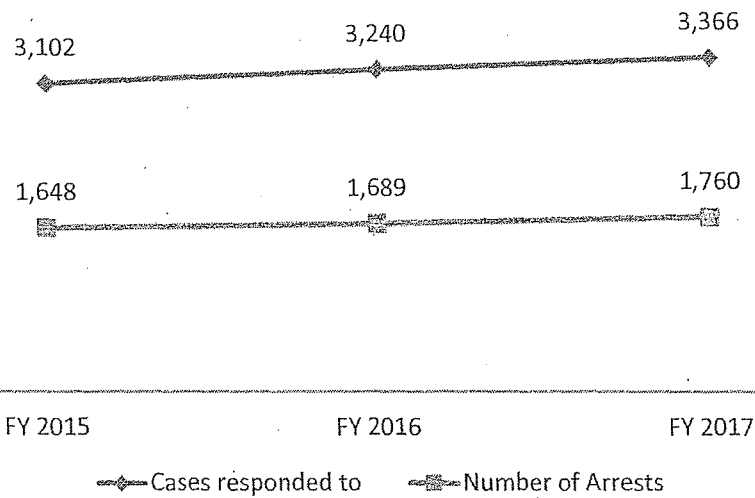
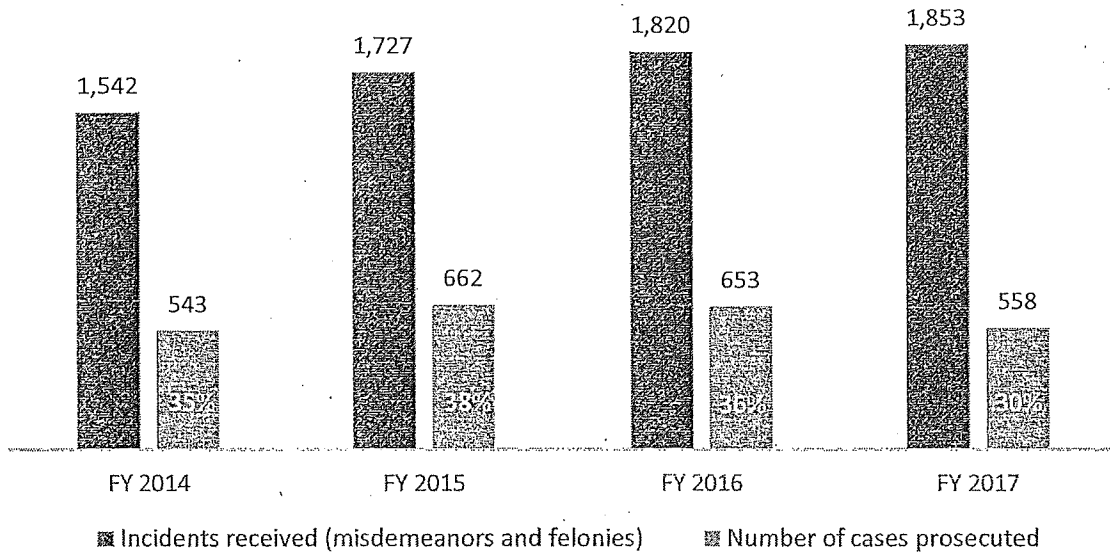


Figure 19 shows that the number of arrests has increased slightly, but the arrest rate (at 52%) has remained roughly constant.

The **prosecution rate** (the rate at which arrests presented to the District Attorney's Office are prosecuted) was 30% for domestic violence, elder abuse and stalking combined.³⁰ (See Figure 20 below.) This is a reduction of six percentage points compared to FY 2016. There has also been a significant reduction (15%) in the **number** of cases prosecuted. These prosecutions include cases prosecuted by a new filing or by a probation violation. Of course, not every report of domestic violence, stalking or elder abuse can – or should – result in a prosecution. Given this, it is useful to compare the passage of family violence crimes to broader prosecution trends in San Francisco. According to data from the District Attorney's Office, the prosecution rate for all felonies was 67% in FY 2017.

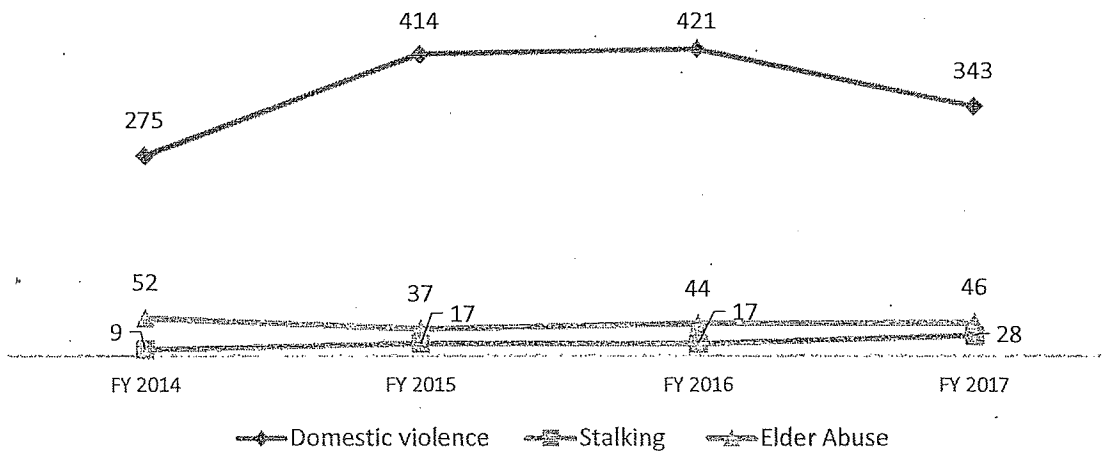
³⁰ The District Attorney's office does not separate out incidents received by crime type, so the prosecution rate can only be shared for stalking, elder abuse and domestic violence combined.

Figure 20 District Attorney's Domestic Violence Unit: Prosecution Rate for Domestic Violence, Elder Abuse and Stalking, FY 2014 - 2017



Breaking down the new filings by crime type (Figure 21) reveals the reduction in prosecutions is coming from domestic violence only. There has been an increase in the number of elder abuse and stalking cases prosecuted, with prosecutions for stalking increasing by 65%, from 17 to 28. Of the 417 new cases that were filed, 343 were domestic violence. This is below the District Attorney's previous three-year average of 370, and a 19% reduction compared to 2016.

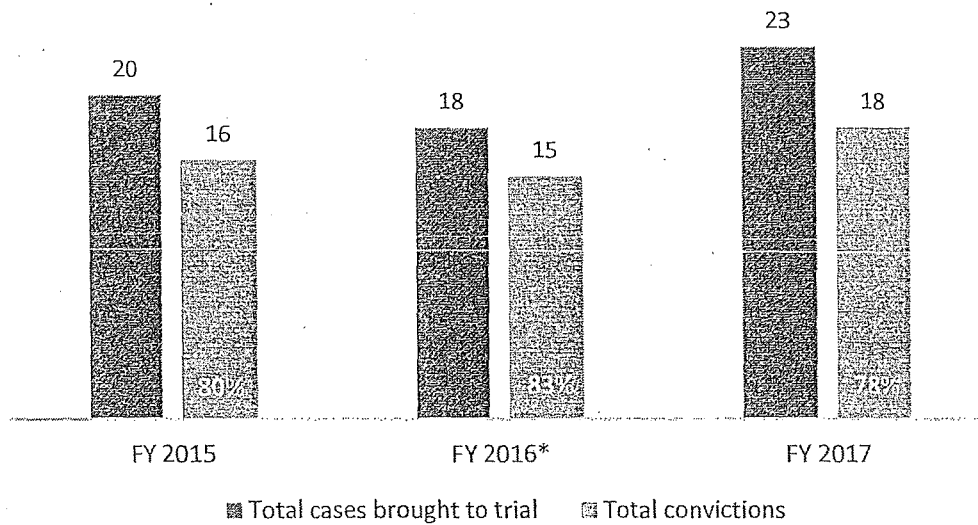
Figure 21 District Attorney's Domestic Violence Unit: New Filings by Crime Type, FY 2014-2017



Convictions

In 2017, there were 23 domestic violence and stalking cases resolved by trial. Of these, 18 ended in conviction (Figure 22) at trial. This represents a slight reduction in the rate of cases brought to trial, but an increase of three in the number of convictions secured.

Figure 22 District Attorney Domestic Violence Unit: Domestic Violence and Stalking Trials, Resolved Cases, FY 2015 - 2017



*Includes two Elder Physical Abuse cases

It is important to note that these figures only represent cases where defendants faced a jury in court. Although the conviction rates for domestic violence and stalking are high, cases that are convicted at trial represent just 4% of the total cases prosecuted. There is currently no data available on the many cases pursued by the District Attorney that do not go to trial. However, we know that plea bargains (an arrangement between a prosecutor and a defendant whereby the defendant pleads guilty to a lesser charge in the expectation of leniency) represent the clear majority of dispositions. The District Attorney is currently developing a mechanism to gather and include information on non-trial outcomes, including plea bargains, in this report. This is critical for understanding victims' experiences of the justice system.

Healthcare services

Healthcare providers may be the first or only professionals to encounter and provide services to many victims of family violence. The San Francisco Department of Public Health (DPH) strives to reduce family violence both through public health prevention programs and by directly addressing family violence with patients seen in DPH hospitals and healthcare clinics.

Although some victims of family violence may present with obvious injuries during a healthcare visit, it is far more common that they present with only subtle or often unrecognized symptoms of repeated abuse or violence like behavior changes (especially in children), new homelessness, pain, depression, anxiety, or exacerbation of acute and chronic health problems. Therefore, treating and preventing family violence requires extensive training of healthcare staff as well as protocols to use in educating about, screening for, and responding to family violence. There are various legal mandates (local, state, and federal) requiring that healthcare providers and systems address intimate partner violence, child abuse, and elder abuse. Most recently, the Affordable Care Act mandated that all health insurance plans offer women and girls free interpersonal violence prevention education, screening, brief counseling and referral.

Emergency Department

The Zuckerberg San Francisco General Hospital (ZSFG) Emergency Department routinely screens for intimate partner violence in the triage area, where nurses inquire about domestic violence with each patient (unless noted as “not applicable”). Further intimate partner violence screening occurs on a case-by-case basis during the clinical care following triage. All patients identified as, or suspected to be, victims of intimate partner violence are offered treatment, counseling, and referrals to community services. The Department of Public Health (DPH) provides data from the ZSFG emergency room screenings on a bi-annual basis, and will update the Family Violence Council in FY 2017-18.

Primary care

Outpatient primary care and women’s clinics in the DPH network³¹ have an intimate partner violence protocol that was endorsed by the San Francisco Health Commission in 1998. It mandates that healthcare providers in each clinic routinely screen for and address intimate partner violence with their patients. As with the ZSFG Emergency Department model, all patients identified as, or suspected to be, victims of intimate partner violence are offered treatment, counseling, and community resources.

How many victims receive support in this way?

All DPH clinics and hospitals now utilize electronic health records (EHRs). Unfortunately, federal guidelines did not require EHRs to be optimized for documenting sensitive information, nor for the easy extraction of data. EHRs also require extensive training for staff to utilize them most effectively. Due to these challenges – and others – the utilization of the EHRs (and therefore the figures shared below) is unlikely to reflect the true prevalence of interpersonal violence screening and intervention.

However, training in the use of the standardized EHR template for screening is ongoing, and documentation of interpersonal violence is increasing. The number of female patients screened in outpatient clinics in FY 2017 increased by 30% compared to 2016, and by 135% compared to 2015

³¹ Clinics included: Balboa Teen Health Center, Castro-Mission Health Center, Children’s Health Center, Chinatown Public Health Center, Cole Street Youth Clinic, Curry Senior Center, Family Health Center, Larkin Street Youth Clinic, Maxine Hall Health Center, Ocean Park Health Center, Positive Health Program, Potrero Hill Health Center, Richard Fine People’s Clinic, Silver Avenue Family Health Center, Southeast Health Center, Tom Waddell Urban Health Center, and Women’s Health Center.

numbers (Figure 23). However, the number of patients screened as a proportion of total patients remains low: 5.6% of female patients, and 2% of male patients.

Of the female patients screened, 11.5% had experienced domestic violence or were currently experiencing domestic violence. The number of female clients identified as currently experiencing intimate partner violence increased 154% in FY 2017 (Figure 24). Of the male patients screened, 6,2% had experienced or were experiencing domestic violence.

Figure 23 Department of Public Health: Number of Patients Screened for Intimate Partner Violence in Primary Care and Women's Clinics, FY 2014-2017

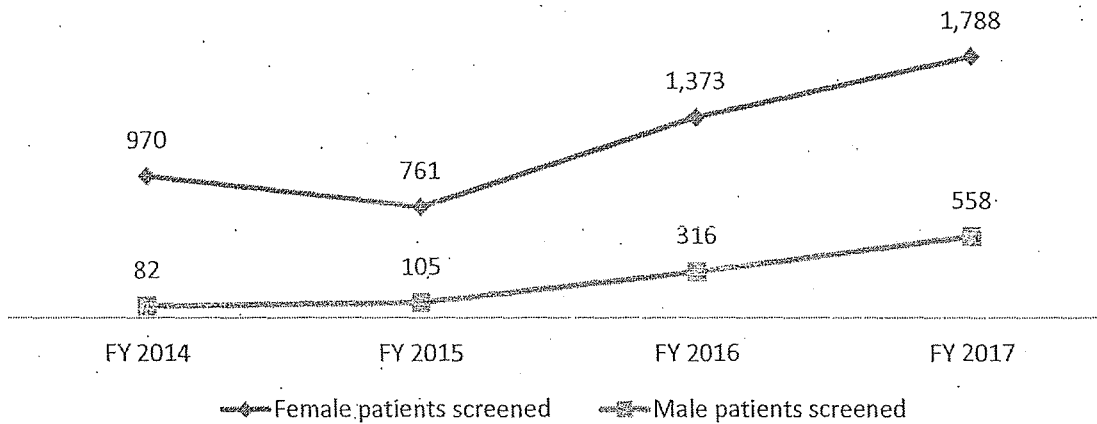
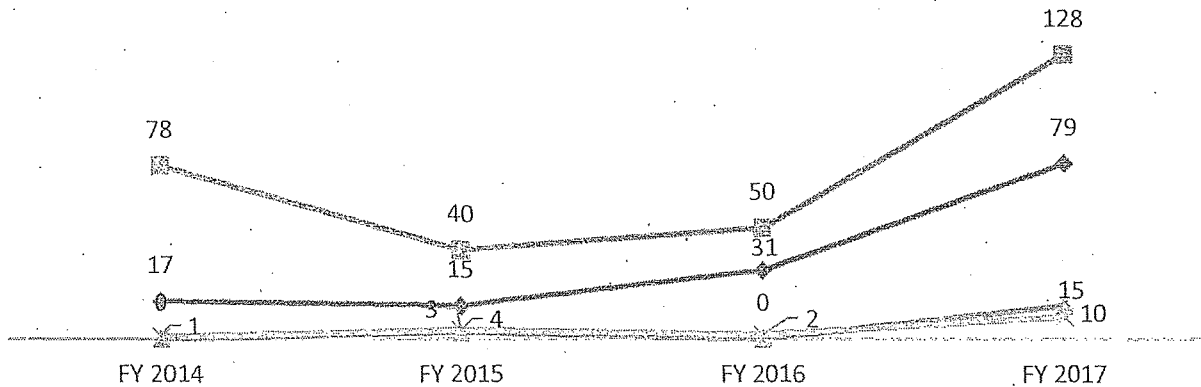


Figure 24 Department of Public Health: Number of Patients who Who Screened Positively for Intimate Partner Violence in Primary Health and Women's Clinics, FY 2014-2017



◆ Number of female patients with current* IPV

◆ Number of female patients with previous** IPV

◆ Number of male patients with current IPV

◆ Number of male patients with previous IPV

*'Current' means positive screen for abuse within the last year, in any one of three categories: Physical and emotional intimate partner violence; Sexual abuse by an intimate partner or another person; Contraceptive coercion. **'Previous means' any patient with positive screen for past abuse, longer than one year ago, in any one of the three categories of abuse.

Community-based services

San Francisco is served by a network of specialist community-based organizations, which provide six types of core services to survivors of domestic violence, sexual violence and human trafficking:

- Crisis lines
- Emergency shelter
- Transitional housing
- Legal and advocacy services
- Counseling
- Prevention and education

Many of these organizations also provide education and training in their communities, to raise awareness of abuse and build capacity to address it.

In FY 2017, the Department on the Status of Women distributed grants totaling \$6,106,806 to these organizations, funding 39 programs at 27 organizations. This represents an 8% increase on last year. This year, the Violence Against Women (VAW) Grant Program funded services provided a total of 30,416 hours of support provided to 23,489 individuals across San Francisco, an increase of 11% over FY 2016 (Figure 25).

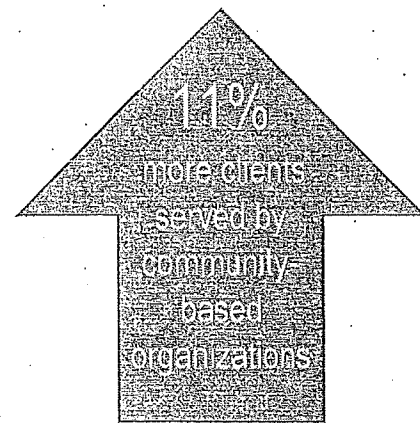
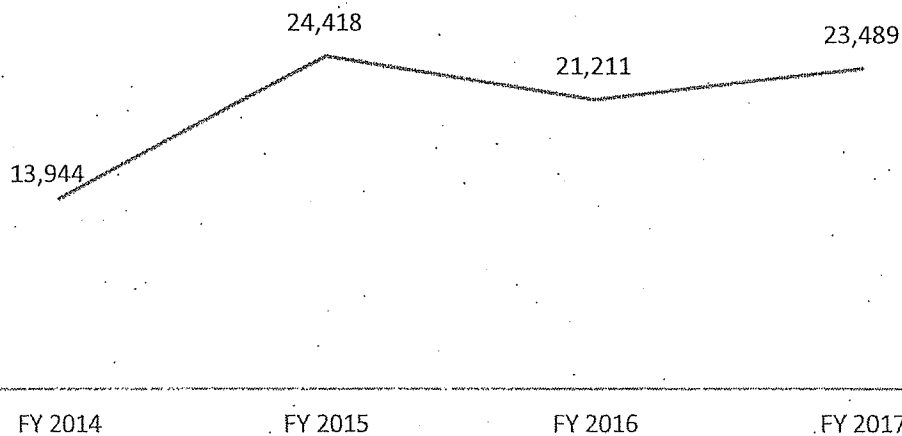


Figure 25 Community-Based Organizations: Individuals Served by VAW Grant-Funded Programs, FY 2014 - 2017

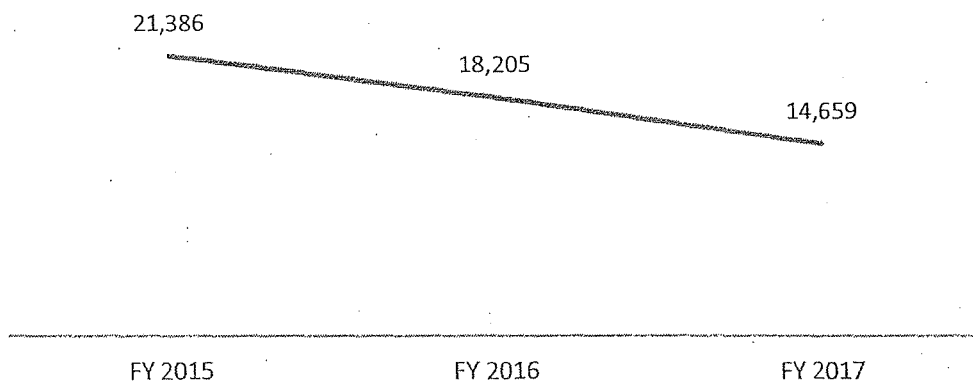


Crisis line calls

San Francisco is served by five crisis lines that support victims of domestic violence, sexual violence and human trafficking, two of which are funded by the Violence Against Women Grant Program, administered by the Department on the Status of Women. These hotlines are free and confidential, and provide phone counseling, safety planning and referrals.

Figure 11 (p.26) demonstrates why these hotlines are so critical; we know that survivors are far more likely to reach out to advocates than to call 911. However, the number of calls to Crisis lines has been declining year on year (Figure 26, below). In FY 2017, callers dropped by almost a fifth, to 14,659. Since the total number of clients served by community-based organizations has been increasing, this may show that survivors are accessing information about services in different ways, such as through the internet.

Figure 26 Number of Crisis Line Calls in San Francisco,³²
FY 2015 - 2017



Emergency shelter

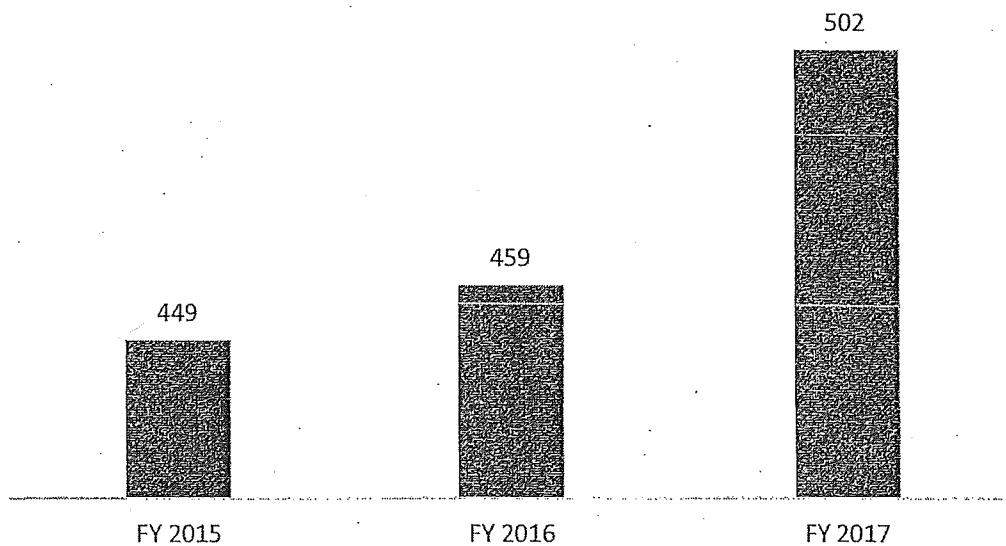
Emergency shelter offers a lifeline for many women and children escaping violence at home. These services provide intensive, short-term support, intended to give survivors and their children much-needed time and space to consider their options in safety and begin to rebuild their lives.

Data on emergency domestic violence shelters was collected from three programs in San Francisco - Asian Women's Shelter, La Casa de las Madres and the Riley Center. These data reflect the organizations' entire programs, not just the VAW Grant funded portions.

³² Includes figures from La Casa de las Madres, WOMAN Inc., San Francisco Women Against Rape, Asian Women's Shelter and the Riley Center. Includes only crisis calls, not calls for information.

In FY 2017, 17,120 nights of emergency shelter were provided to 502 women and children across San Francisco. This represents a 9% increase on the number of individuals served compared to last year. The total number of bed nights provided has declined slightly.

Figure 27 Individuals (including adults and children) Provided with Emergency Shelter, FY 2015 - 2017



Transitional and Permanent housing

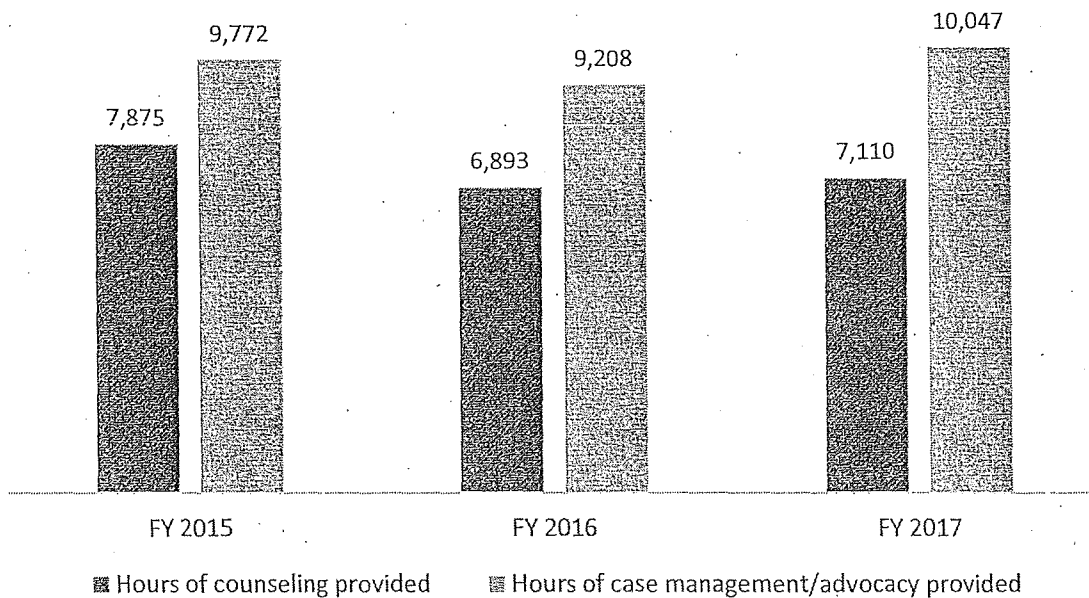
The VAW Grants Program also funds three transitional housing agencies in San Francisco – Gum Moon Women’s Residence, the Riley Center and Jewish Family and Children Services – and one permanent housing program, at Mary Elizabeth Inn. These services provide longer-term stability to survivors of abuse and their families. In FY 2017, these programs provided a total of 19,767 nights of accommodation to 135 individuals. 15,612 of these nights were funded by the VAW Grants Program. In FY 2016, the total figure was 25,353 for 95 individuals.³³ This represents a significant reduction in the total number of bed nights (of 22%) but an increase in the number of individuals served, of 42%.

³³ This varies from the figure published in *7th Comprehensive Report on Family Violence (2017)*, which was 19,148, due to an error in reporting.

Counseling and Advocacy

Community-based organizations also provide counseling, casework and advocacy to survivors, to help them regain their independence, navigate the court systems and begin to process their experiences. In FY 2017, there was a 7% increase in the number of hours of counseling and advocacy by VAW Grant-funded programs, with 17,157 hours funded overall (Figure 28).

Figure 28 Hours of Counseling/Advocacy Provided by VAW Grant-Funded Programs, FY 2015 - 2017

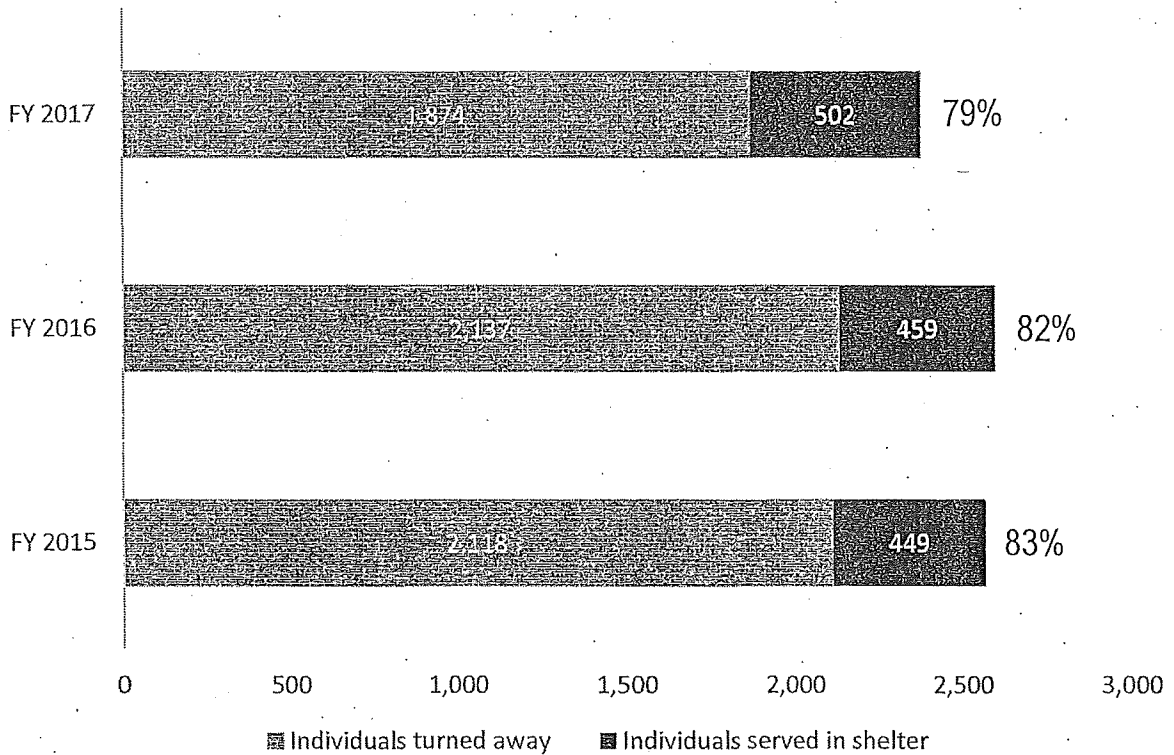


What are some unmet needs?

Turn-away rates

The number of domestic violence victims turned away from emergency shelter in San Francisco is chronically high. Figure 29 shows that in FY 2017, 79% of all women and children referred to emergency shelter were turned away. This is an improvement, as the turn-away rate has been around 83% for the previous three years. However, it still represents 1,205 women and 669 children unable to access the safety of these services.

Figure 29 Number of Individuals Turned Away from Emergency Shelter and Number Served by Emergency Shelter, Plus Turn-Away Rate (%), FY 2015 - 2017



For every ONE individual served in emergency shelter in 2017, FOUR were turned away



The overall number of referrals to emergency shelter has decreased over the years, from 2,586 in FY 2015 to 2,376 in FY 2017 – a reduction of 8%. The number of individuals turned away has increased by 11.6%, despite the slight reduction in turn-away rate (Figure 29).

There is a similar pattern when it comes to transitional housing services. One hundred and thirty-five individuals were served by the three transitional housing programs in FY 2017, but 739 individuals were turned away from the same programs – an 85% turn-away rate.

Reasons for turn-away

For the first time, this year's report includes information gathered from services about the reasons behind their high turn-away rates.³⁴ In previous years, it has been assumed that lack of space was the primary reason for staff having to turn individuals away from emergency shelter and transitional housing. Unsurprisingly, given the housing crisis in San Francisco, the data confirms this. Shelter providers have limited resources, and despite staff's best efforts, lack of space will always be the predominant factor in turn-aways. However, the data also shows some other reasons why individuals might be turned-away from shelter services, which will be important to track going forward.

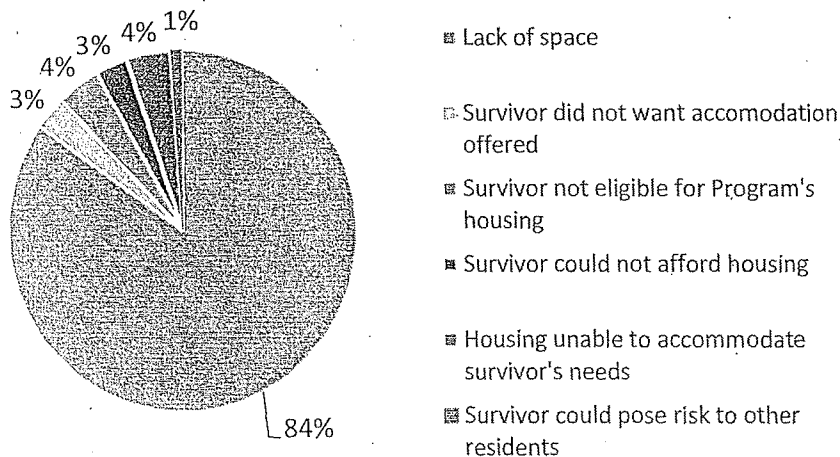
Emergency shelter

A lack of bed space does account for the majority of turn-aways from emergency shelter (Figure 30, below). Lack of staff capacity is also a factor in around 3% of turn-aways.

For around 9% of individuals referred, the shelter was not in a safe location for them, as determined by the shelter. Around 5% of those referred did not want to go into shelter. Whilst many women and children are turned away from a service they wanted, for others, the emergency shelter on offer was not the right option for them in that moment.

For around 1% of individuals referred, there were other reasons why they did not go into shelter. These included the need for transitional housing (or other more permanent housing arrangements); shelter staff losing contact with survivors after the initial assessment; and shelters being unable to accommodate survivors' needs.

Figure 30 Reasons for Turn-Away from Emergency Shelter, FY 2017



³⁴ This information was gathered by asking services to rank the most common reasons why they turn referrals away from their services. They also provided an approximate percentage for each reason, to indicate how many cases were turned away because of each. Figures 30 and 31 were calculated using those percentages and should be taken as approximations.

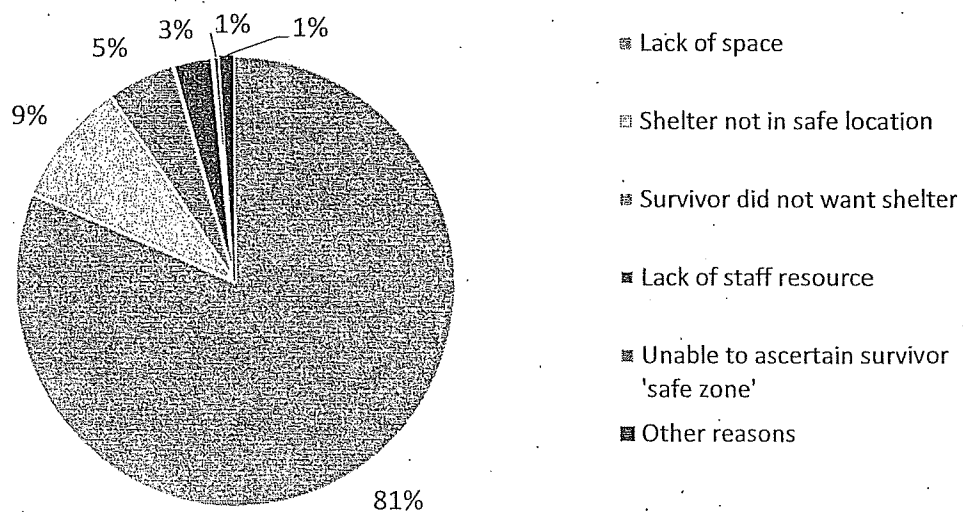
Transitional housing

The turn-away rate for transitional housing was 85% in FY 2017.

As with emergency shelter, a substantial reason for turn-away from transitional housing is a lack of space in the service. Eighty-four percent were turned away for this reason (Figure 31). In these cases, survivors may go onto a waiting list, so they can be offered a place if one becomes available.

For transitional housing, 4% of referrals were turned away because survivors were not eligible for the program (for example, because they had children). Three percent were turned away because they could not afford the payments (for example, because they are ineligible to claim public assistance due to their immigration status) and 4% were turned away because the program was unable to accommodate their needs. Reasons cited for being unable to accommodate a survivor's needs included survivors having substance use disorders or disabilities which required long-term supportive housing. As with emergency shelter, there were a portion of survivors (1%) who did not want to go into the accommodation offered. Staff also cited potential clients being unable to comply with house rules.

Figure 31 Reasons for Turn-Away from Transitional Housing



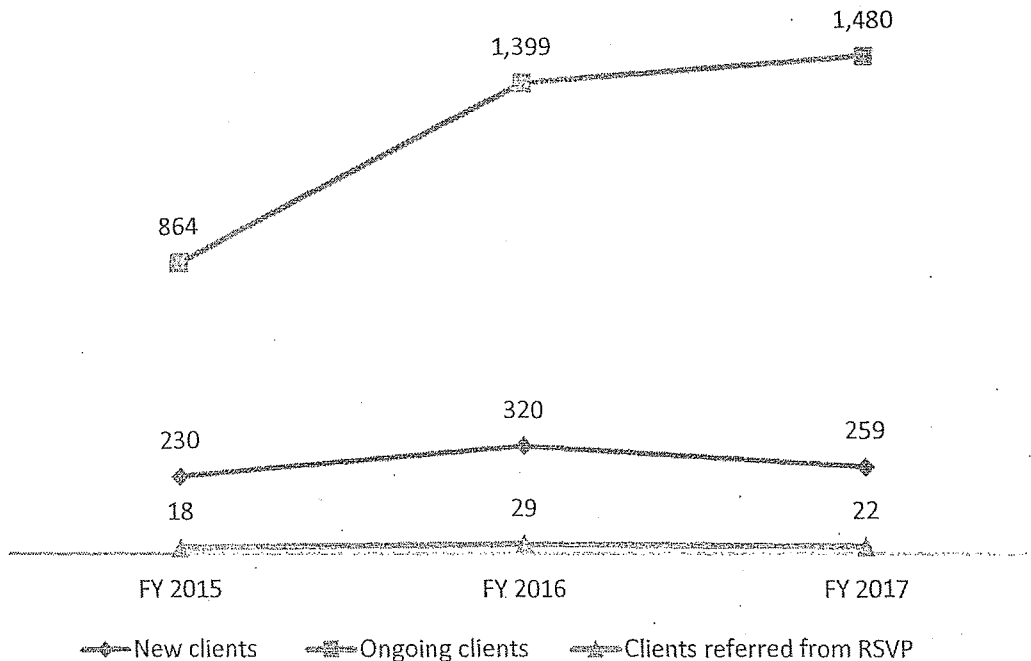
Other sources of support for victims

For survivors who encounter the criminal justice system, there is support available from law enforcement agencies including the District Attorney's Victim Services Division and the Sheriff's Department.

The Sheriff's Department: Survivor Restoration Project

When an offender with a domestic violence related charge is mandated by the court to attend the Sheriff's Department's Batterer Intervention Program, Resolve to Stop the Violence, the Sheriff's Survivor Restoration Project (SRP) is also notified. The Survivor Restoration Project offers direct services to the survivors of the offenders participating in Resolve to Stop the Violence (RSVP). The Project's focus is on supporting survivors through their own process of restoration and empowerment, while providing opportunities for them to contribute to the development, implementation, and evaluation of RSVP.

Figure 32 Sheriff's Department: Survivor Restoration Project Clients, FY 2015 - 2017



Overall, SRP has increased its participation slightly since FY 2016, from 1,719 total clients to 1,739 (Figure 32). However, there has been a 19% reduction in the number of new clients introduced to the program, and a reduction in the number of clients brought into the program due to their perpetrator being involved in RSVP. The majority of SRP clients are women. Between five and 12 men have been supported each year. Figure 33 shows some of the outcomes achieved for clients enrolled on SRP.

Figure 33 Sheriff Department Survivor Restoration Program: Outcomes for Clients, FY 2015 - 2017

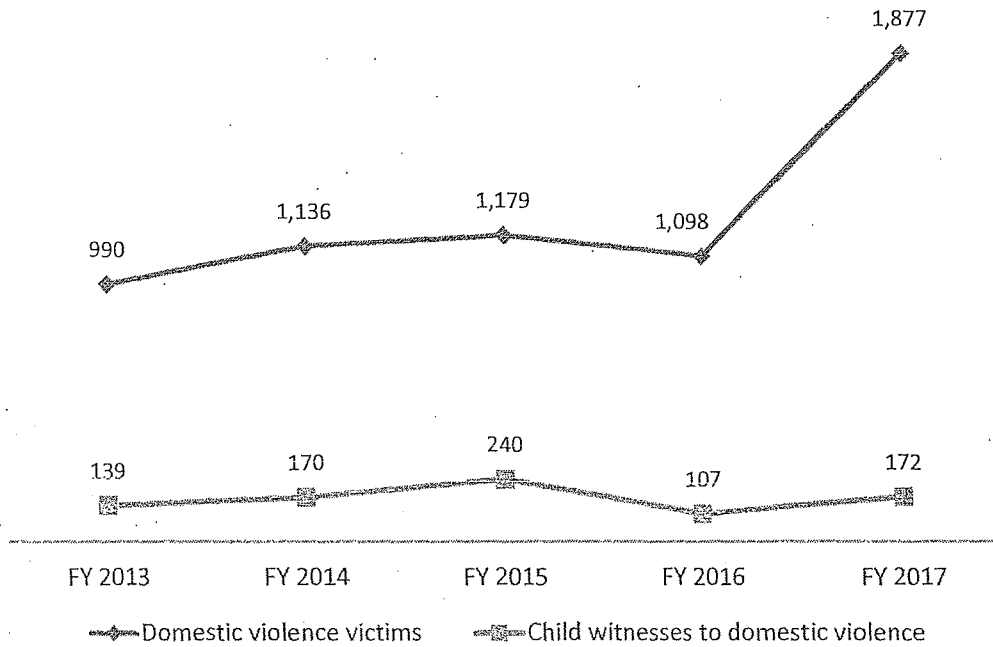


District Attorney’s Victim Services Division

The District Attorney’s Victim Services Division provides comprehensive advocacy and support to victims and witnesses of crime. Trained advocates help these individuals navigate the criminal justice system by assisting with crisis intervention, Victim Compensation Program claims, court escort, case status updates, transportation, resources, referrals, and more.

There has been a 71% increase in the number of domestic violence victims supported by the District Attorney’s Victim Services Division in the past year, from 1,098 in FY 2016 to 1,877 in FY 2017 (Figure 34). There has also been a 61% increase in the number of children who have witnessed domestic violence being supported.

Figure 34 District Attorney Victim Services: Clients Affected by Domestic Violence, FY 2013 - 2017

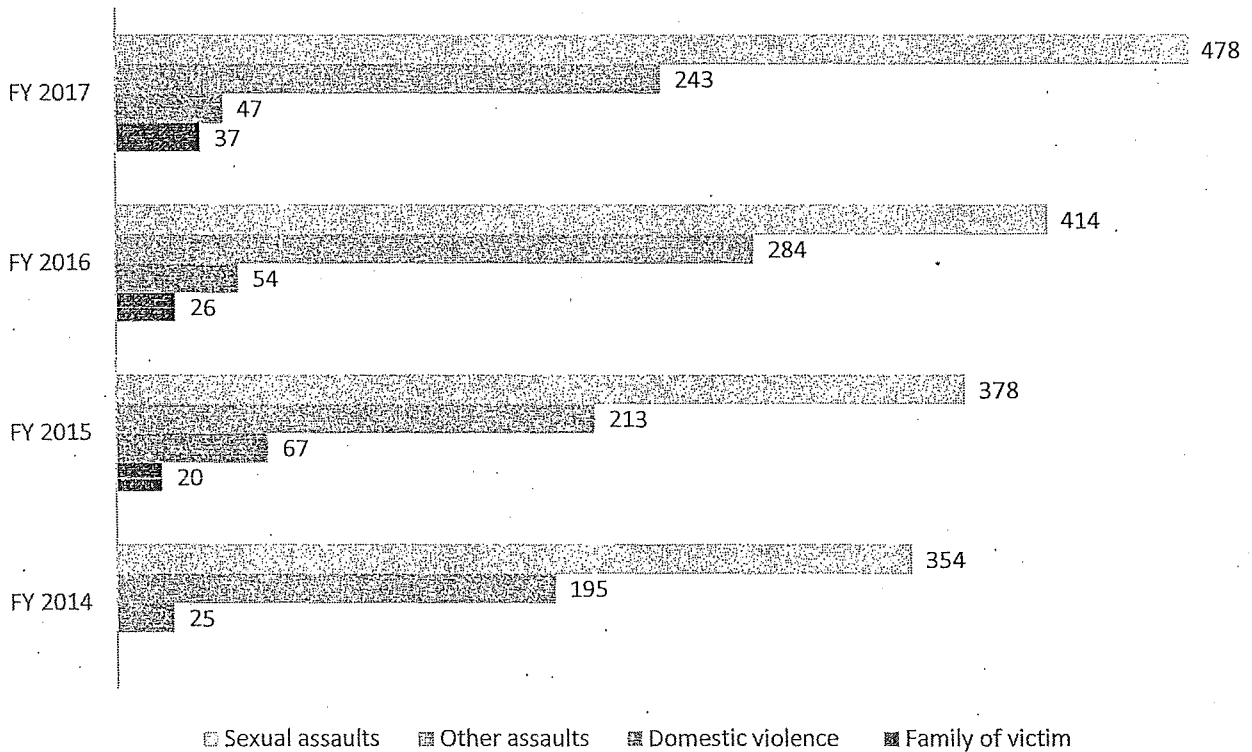


Trauma Recovery Center

San Francisco's Department of Public Health Trauma Recovery Center (TRC) provides mental health and case management services to survivors of interpersonal violence, including intimate partner violence, sexual and other physical assaults, gang-related violence, survivors of political torture and more. The specific services provided include patient assessments and intakes, crisis services, case management, evidence-based individual and group mental health treatment, medication monitoring, and other miscellaneous services. Services are currently offered in 11 different languages:

Figure 35 shows the types of abuse experienced by the 805 individuals served by the Trauma Recovery Center in FY 2017. Forty-seven had experienced domestic violence. A further 478 had experienced sexual assault. The number of sexual violence victims served has been steadily increasing since FY 2014. In contrast, there has been a reduction in the number of clients supported whose primary trauma was domestic violence or another kind of assault.

Figure 35 Trauma Recovery Center: Number of Clients by Primary Trauma Type, FY 2014 - 2017



Who is experiencing Domestic Violence?

This year’s report seeks to look more closely at who is experiencing abuse. Specifically, how demographic factors may influence both the forms of abuse individuals experience, and where they seek support following that abuse.

This is not an exact science; it is important to consider why particular groups may be over-represented in certain data sets, beyond the conclusion that they are experiencing higher levels of violence. For example, several of the community-based agencies supported by the Department on the Status of Women’s VAW grant specifically seek to support Asian survivors. Including and comparing data from a broad range of sources (data on both victims and perpetrators; data from both criminal justice agencies and confidential community-based organizations) seeks to mitigate these contextual factors. Taken together, these data can build a picture of who is experiencing what. In the case of domestic violence, some clear patterns emerge.

Gender

Data from across San Francisco, presented below, shows that domestic violence is a gendered issue. The vast majority of victims are women.

Gender is the demographic category most reliably collected by agencies in this report. As such, we can combine the information on victim gender to build a picture of how much more likely women are to experience domestic violence (see Figure 36 and Figure 37). It is important to note that this is not an unduplicated count. A woman may have been counted in emergency shelter data and District Attorney Victim Services data, for example. The Police Department victim data is missing from this table, because it counts cases involving victims from particular groups, rather than the number of individual victims, and one person may be involved in several cases. It therefore cannot be compared to the other data in Figure 36.

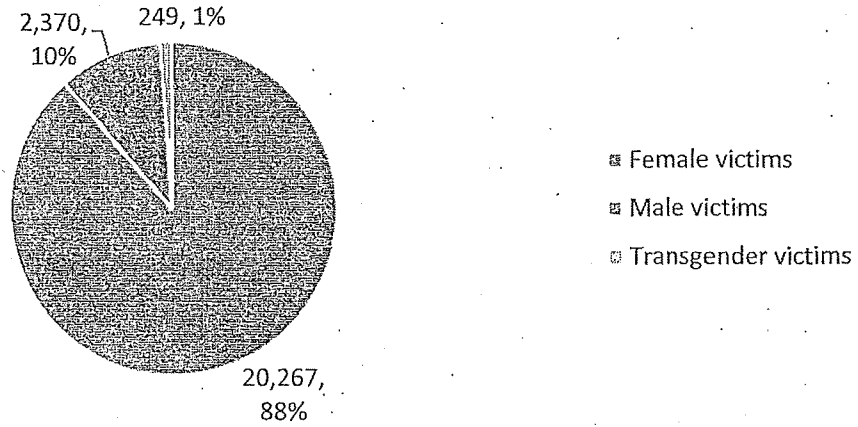
Figure 36 Gender, Where Known, of Domestic Violence Victims Presenting at Different Agencies,³⁵
FY 2017

	Number of female victims	Number of male victims	Number of transgender victims ³⁶
VAW grant-funded community-based agencies	16,898	1,919	249
District Attorney Victim Services Division	1,598	436	0
Sheriff Department Survivor Restoration Program	1,728	11	0
Department of Public Health: Trauma Recovery Center, domestic violence clients	43	4	0
Department of Public Health: Number of patients who screened positively for intimate partner violence in primary health and women's clinics	207	25	0

³⁵ Not an unduplicated count

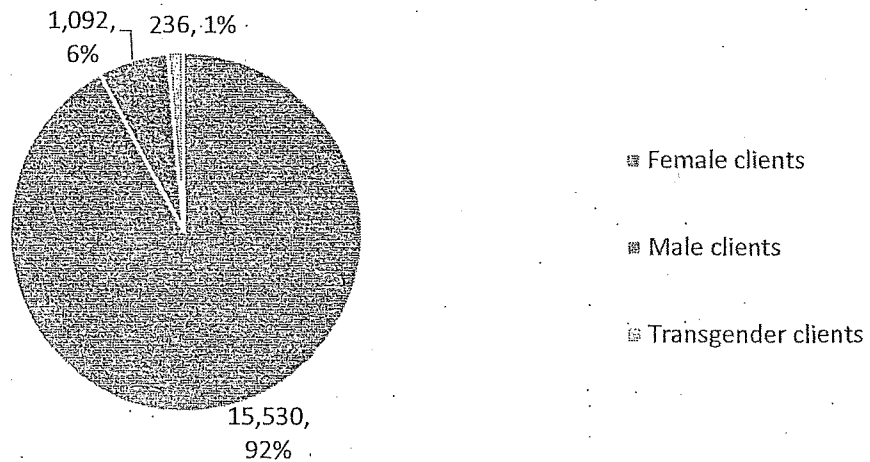
³⁶ Not every agency consistently collects information on transgender clients, so the total numbers presented may be an underestimation. In future, all agencies should record the number of transgender male and transgender female clients separately.

Figure 37 Total Victims Across Different Systems by Gender, Where Known, FY 2017



In systems where there are larger proportions of male victims, such as in community-based services, age is a relevant factor. Forty-three percent (827 out of 1,919) of the male clients included in Figure 36 were aged 17 or under. This compares to just 8% of the female clients. If we consider adult victims only (Figure 38, below), the gender split is much starker: 92% of victims were female, 6% male, and 1% transgender. The Sheriff's Survivor Restoration Program serves an even smaller percentage of males who have experienced domestic violence; men make up 0.6% of their domestic violence client population. This compares to 21% male clients in District Attorney Victim Services, and 12% males in the patients positively screened for domestic violence in primary health clinics.

Figure 38 Gender of Adult Survivors Supported by Community-Based Organizations, Where Known, FY 2017



Age

Police Department data – displayed in Figure 39 – has revealed age and gender to be vulnerability factors in cases of domestic violence. The number of cases involving female victims in every age category was significantly higher than the cases involving male victims, but this disparity lessens as the age bracket of victims increases.

The gender difference is most obvious in transitional age youth (TAY). In 88% percent of cases where the victim was of transitional age (18 – 24), the victim was also female. In 82% of all cases where the victim was under 30-years-old, they were also female. Yet this drops to 59% when we consider cases where victims were aged over 60-years-old, suggesting males may be more susceptible to abuse as they get older. Not only are women disproportionately victimized; they are more likely to be victimized younger, compared to their male peers.

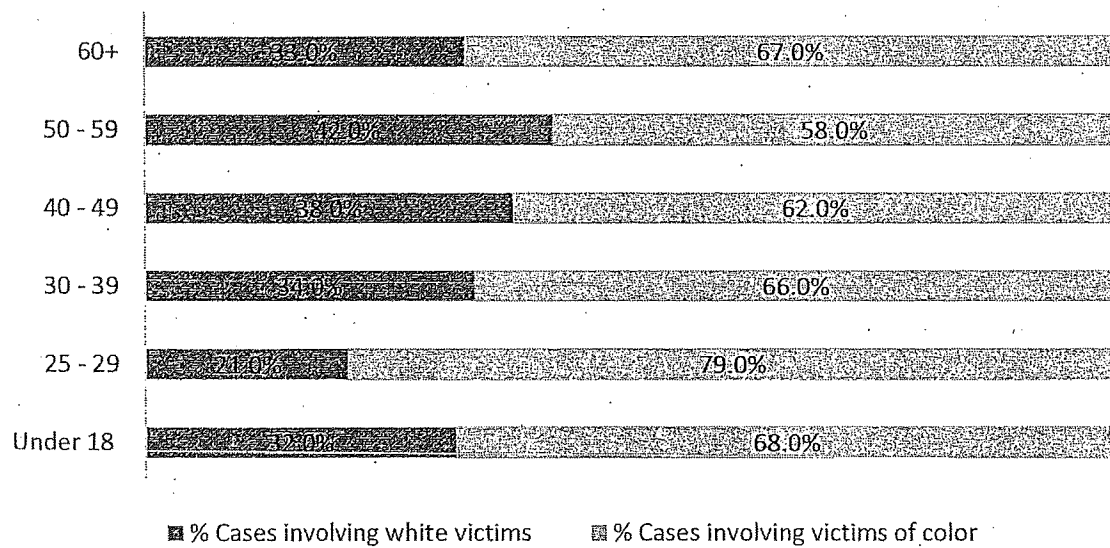
Figure 39 San Francisco Police Department: Domestic Violence Cases by Age and Gender of Victim, Where Known,³⁷
FY 2017



Figure 40, below, shows a similar pattern on the intersection between race and age. There are more cases involving victims of color in every age-bracket, but it is significant that the younger the age bracket, the larger the difference in the proportion of cases involving victims of color and white victims. In cases where victims were under-18, 68% of them were people of color. In cases where the victim was aged 29 or under, 78% were people of color.

³⁷ These figures represent cases rather than victims – i.e. one victim may have several cases, and therefore their demographic information would be recorded twice or more.

Figure 40 San Francisco Police Department: Domestic Violence Cases by Victims' Age and Ethnicity, Where Known, FY 2017

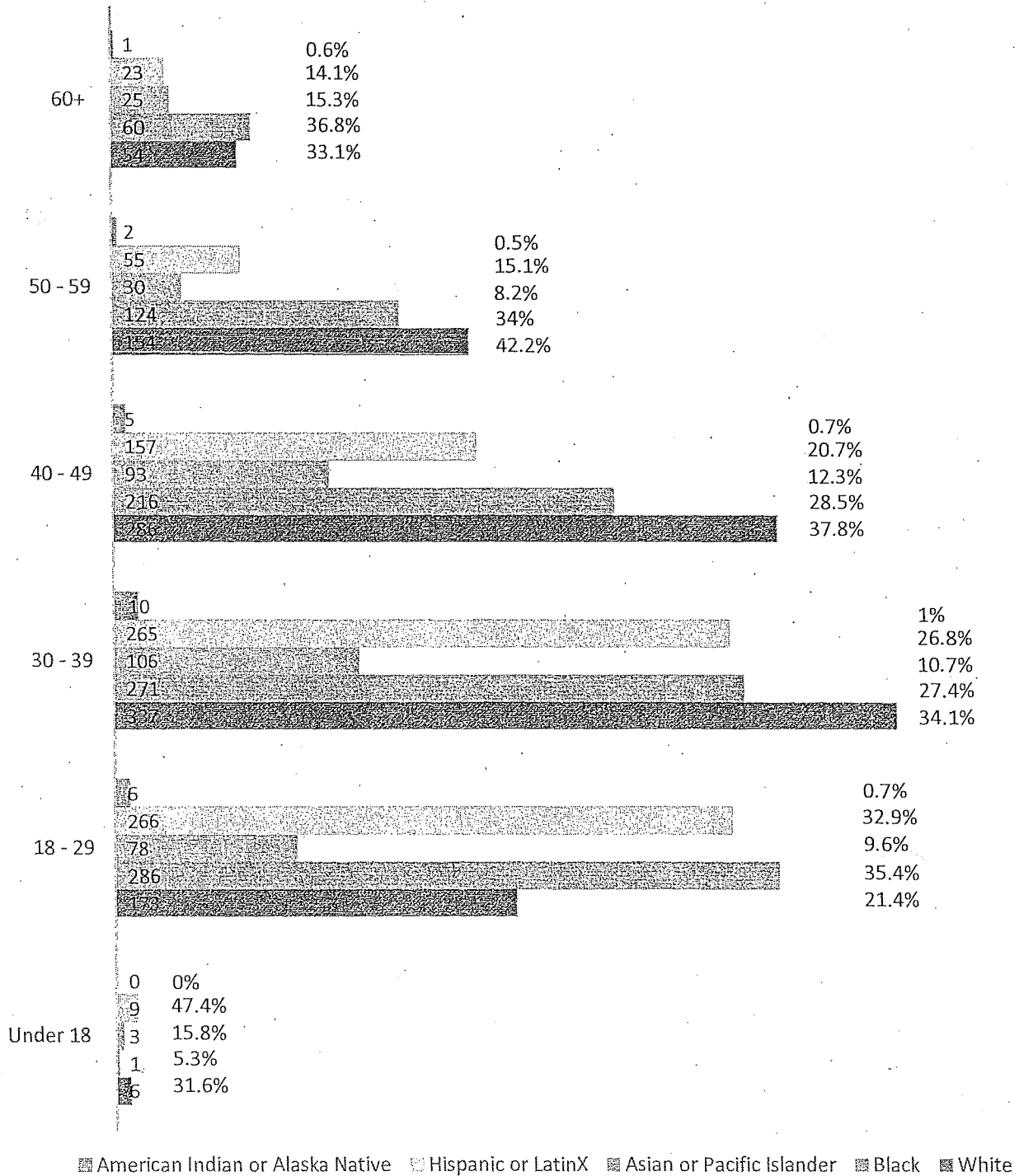


Disaggregating by each ethnicity (Figure 41, below), we can see that:

- Black and Latinx victims were over-represented across all age categories.
- The proportion of cases involving Latinx victims increases as the age-group gets younger. Cases involving Latinx victims make up 14% of cases where the victim was aged over 60, 33% of cases where the victim was aged 18 – 29, and 47% of cases where the victim was aged under-18.
- In cases where the victim was aged under 30, they were most likely to be Black – 36% of the victims in these cases were Black, compared to 33% Latinx. However, beyond the age of 30, Black victims were more vulnerable they older they were. In cases where the victims were over 60, 37% of all the victims were Black, compared to 27% in cases where victims aged 30 – 39, and 29% in cases where victims were aged 40 – 49.
- Asian or Pacific Islander victims were most vulnerable when aged under-18 or over 60-years-old.

This is the first year the Council has collected these data, and it will be important to track them over several years to understand whether this is a consistent pattern.

Figure 41 San Francisco Police Department: Cases of Domestic Violence by Victim Age-Group and Ethnicity, Where Known, FY 2017

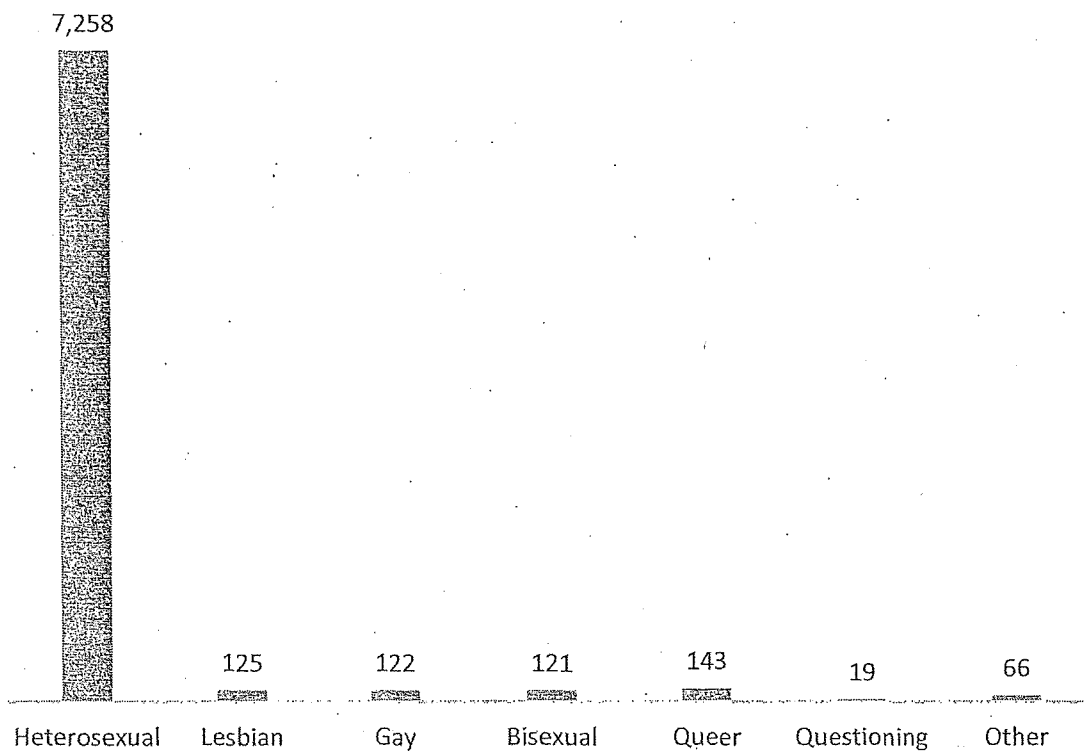


Sexuality

The sexuality of family violence victims is not widely collected by San Francisco agencies. However, following a 2016 amendment to the Administrative Code, all City departments and contractors that provide healthcare or social services must now seek to collect and analyze data concerning the sexual orientation and gender identity (SOGIE) of the clients they serve. In future years, then, the Family Violence Council will better understand the rates of domestic violence in the LGBTIQ+ community.

Domestic violence can happen in any relationship, whatever the gender or sexuality of partners. Figure 42 shows that, where clients' sexual orientation was known, 8% of those served by VAW Grant-funded community-based organizations identified as Lesbian, Gay, Bisexual, Queer, Questioning (LGBQQ) or other. This is consistent with FY 2016.

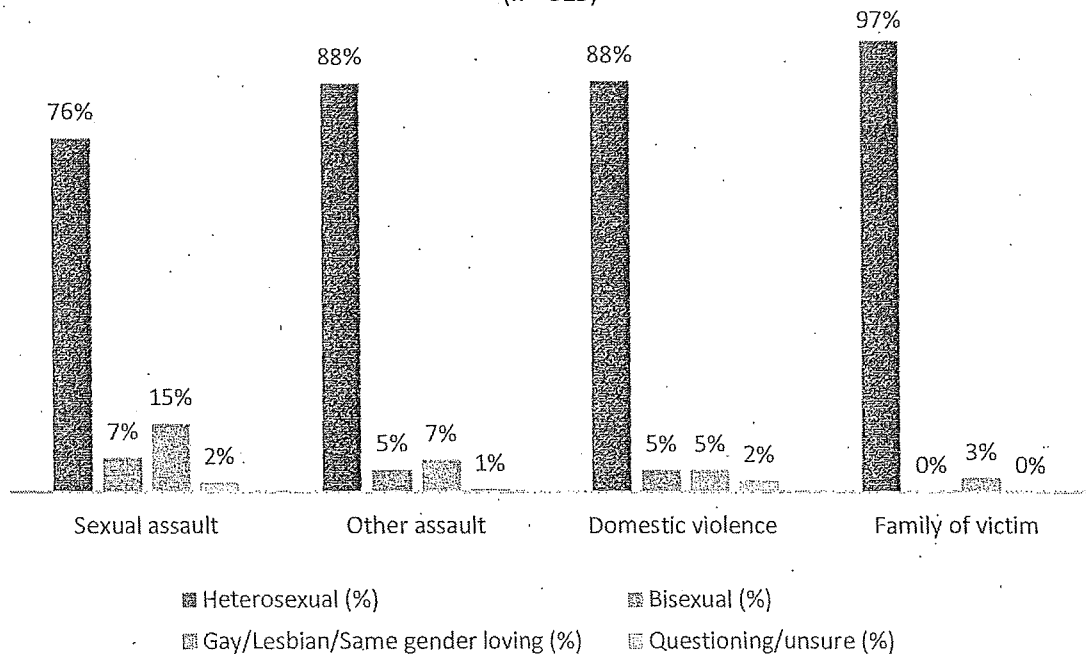
Figure 42 Sexual Orientation of Clients Served by VAW Grant-Funded Community-Based Programs, Where Known, FY 2017



The Department of Public Health's Trauma Recovery Center also contributed data on sexual orientation (Figure 43, below). Almost 12% of clients whose primary trauma was domestic violence identified as lesbian, gay, bisexual or questioning (LGBQ), as did 24% of those whose primary trauma was sexual violence. As sexual orientation data is not collected by the Census Bureau, it is difficult to assess how over-represented LGBQ people are in these data, compared to the population. However, it has been estimated that 6.2% of San Francisco's population identifies as LGBT.³⁸ This estimation would mean that LGB people are over-represented as victims of sexual violence by a factor of almost four, and as victims of domestic violence by a factor of almost two.

24% of sexual violence survivors served by Trauma Recovery Center identified as Lesbian, Gay, Bisexual or Questioning

Figure 43 Department of Public Health, Trauma Recovery Center: Trauma Type by Sexual Orientation of Client, Where Known, FY 2017 (n = 525)

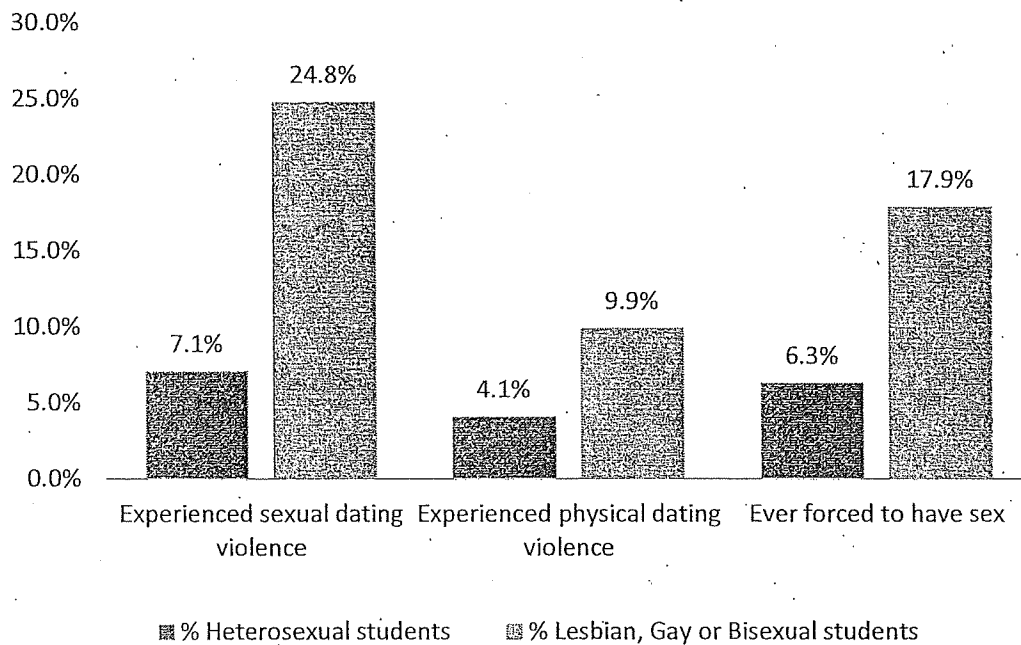


³⁸ According to a Gallup telephone poll, conducted between 2012 – 2014, the San Francisco is home to the highest proportion of LGBT people in the U.S. <http://news.gallup.com/poll/182051/san-francisco-metro-area-ranks-highest-lgbt-percentage.aspx>

This fits with research conducted by the Center for Disease Control and Prevention (CDC) in 2010,³⁹ which found that the lifetime prevalence of rape, physical violence and/or stalking by an intimate partner in the LGBTQ Community is equal to or higher than those of heterosexuals. Forty-four percent of lesbian women and 61% of bisexual women experienced rape, physical violence, and/or stalking by an intimate partner in their lifetime, compared to 35% of heterosexual women. Twenty-six percent of gay men and 37% of bisexual men experienced rape, physical violence, and/or stalking by an intimate partner in their lifetime, compared to 29% of heterosexual men.

The 2017 Youth Risk Behavior Survey,⁴⁰ conducted by the San Francisco Unified School's District in partnership with the Center for Disease Control, also found that high school students in San Francisco who identified as Lesbian, Gay or Bisexual were more likely to have experienced violence. Figure 44, below, shows that they were three-and-a-half times more likely to experience sexual dating violence than their heterosexual peers, more than twice as likely to experience physical dating violence, and almost three times as likely to have been raped.

Figure 44 High School Youth Risk Behavior Survey, CY 2017



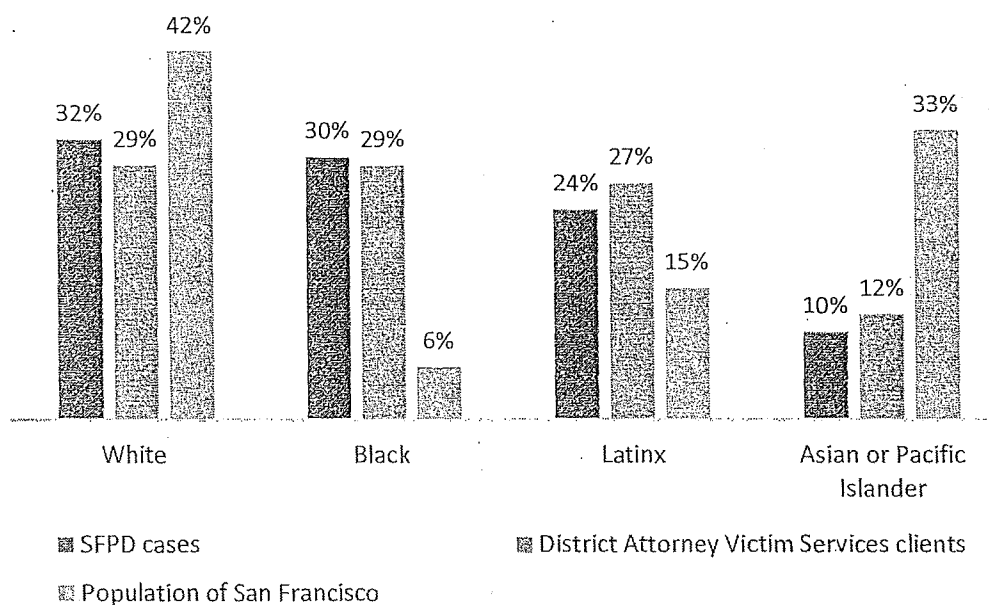
³⁹ NISVS: An Overview of 2010 Findings on Victimization by Sexual Orientation, Centers for Disease Control and Prevention https://www.cdc.gov/violenceprevention/pdf/cdc_nisvs_victimization_final-a.pdf

⁴⁰ High School Youth Risk Behavior Survey 2017 (2018), Centers for Disease Control and Prevention <https://bit.ly/2K1sqK1>

Race and Ethnicity

Data from agencies across the City show that women of color are disproportionately victimized by domestic violence. Figure 45 brings together data from the San Francisco Police Department and the District Attorney’s Victim Services Division on the ethnicity of victims of domestic violence and compares it to the ethnic breakdown of the population of San Francisco.

Figure 45 Ethnic Breakdown of Domestic Violence Victims in District Attorney Victim Services and in SFPD cases,⁴¹ Where Known, Compared to the General Population of San Francisco,⁴² FY 2017



Where the victims’ ethnicity was known, almost a third of SFPD domestic violence cases involved a Black victim. Similarly, 29% of District Attorney Victim Services’ domestic violence clients were Black – despite the Black population of San Francisco being just 6%. Around a quarter of victims in both data sets were Latinx, despite that community making up just 15% of San Francisco’s total population. This pattern

⁴¹ Count is number of cases where victim was of a particular ethnicity, rather than number of individual victims of each ethnicity

⁴² Demographic data on San Francisco drawn from the Statistical Atlas, which uses data from the U.S. Census Bureau (2010) <https://statisticalatlas.com/place/California/San-Francisco/Race-and-Ethnicity> Figure 45 only includes four most commonly occurring ethnic groups, as these categories were consistent across all data sources.

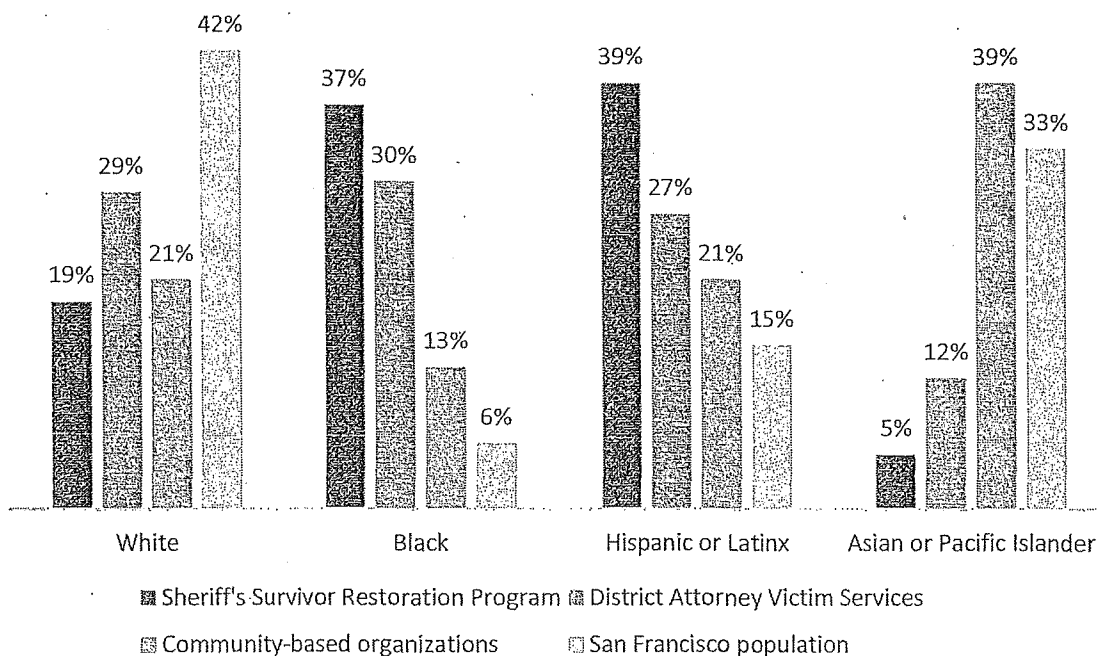
echoes that of previous years; in FY 2016, 26% of District Attorney Victim Services clients were Black and 28% were Latinx.

It is important to consider that this over-representation of Black and Latinx people in the victims' data of justice-based services may reflect the racial disparities in the San Francisco criminal justice system when it comes to *perpetrators* of violence. See page 72 of this report for more detail on this. The CDC's State-wide research does show that 43% of Black women (406,000) and 30% (1,224,000) of Hispanic women in California had experienced sexual violence, physical violence and/or stalking by an intimate partner in their lifetimes. This compares to 39% of white women (2,843,000).

Does ethnicity impact where survivors receive support?

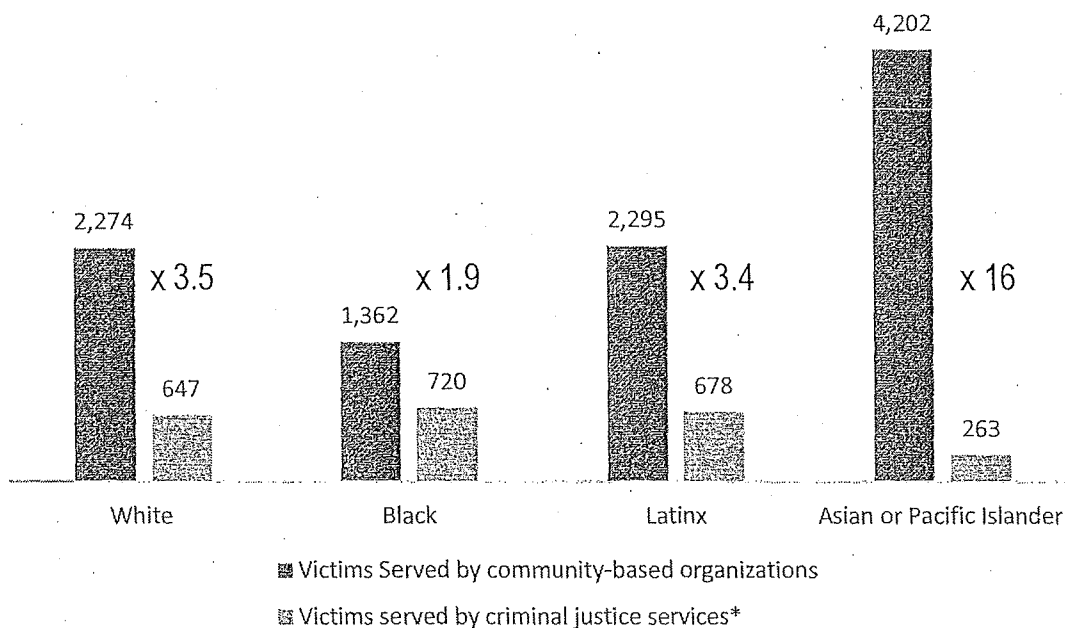
It is useful to compare the victim demographic data from criminal justice agencies to demographic data on victims served by community-based agencies (see Figure 46, below). Black and Latinx survivors are disproportionately represented in both community-based services and services run by criminal justice agencies, compared to in the general population. However, Figure 46 also shows that Black survivors – and, to a lesser extent, Latinx survivors – make up a much smaller proportion of those victims receiving independent, confidential support in the community (the gray column) than they do those victims receiving support from services run by criminal justice agencies (the pink and blue columns).

Figure 46 Ethnic Breakdown (%), Where Known, of Clients in Criminal Justice Support Services and Community-Based Support Services, Compared to San Francisco Population, FY 2017



If we consider the *number* of individuals served by each system (Figure 47, below), the contrast in where different communities receive support becomes even clearer. Compared to other groups, Black survivors are more likely to receive support following abuse from a criminal justice agency. As Figure 11 on page 34 shows, many more victims overall are getting support in the community than through the police. However, less than twice as many Black survivors are getting support in confidential, independent community-based organizations than are being supported via criminal justice agencies (namely, the District Attorney’s Victim Services Division, and the Sheriff Department’s Survivor Restoration Program). This compares to around three-and-a-half times as many for White and Latinx survivors. For Asian survivors, 16 times as many are served in the community compared to those served in criminal justice agencies.

Figure 47 Number of Victims Served by Community-Based Organizations and by Criminal Justice Services, FY 2017



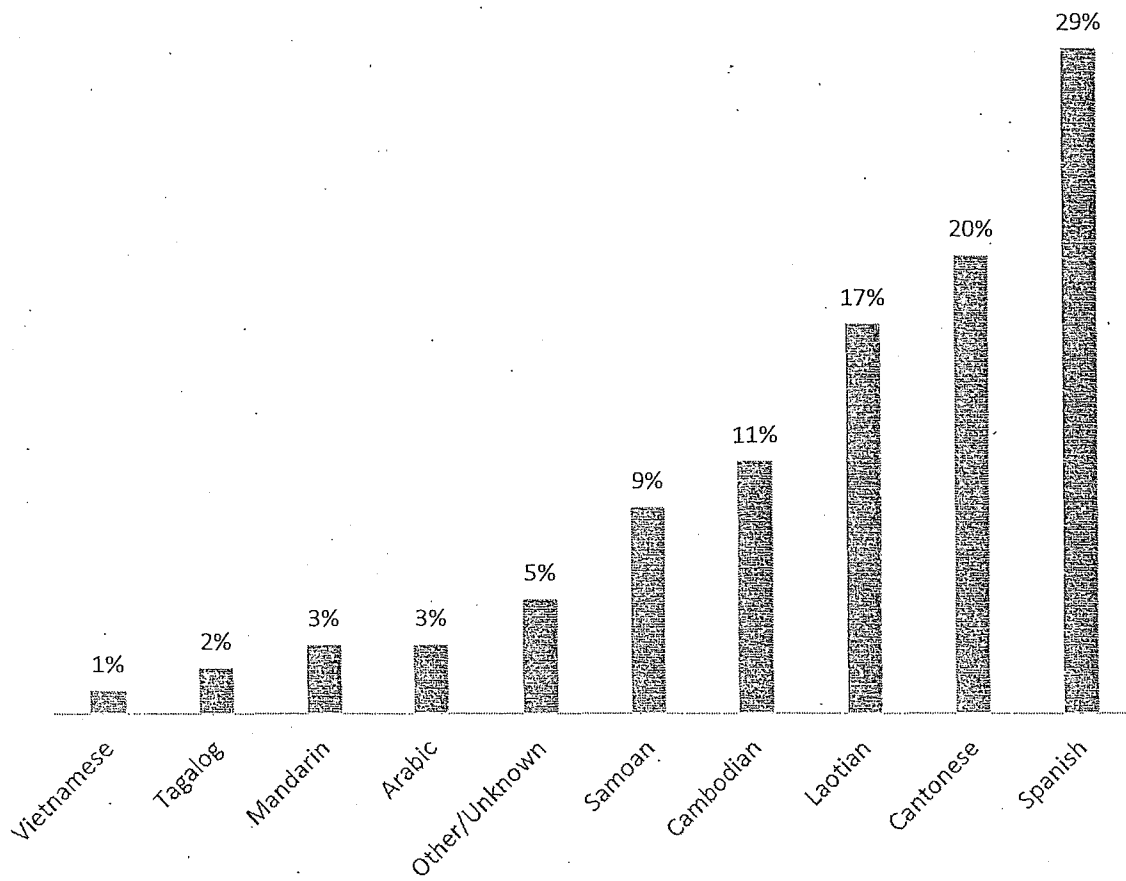
*Figure the sum of District Attorney Victim Services clients and Sheriff Department Survivor Restoration Program clients

When thinking about the implications of Figure 47, it is important to note that community-based organizations have limited resources. Any recommendation to address the relative under-representation of one community should not come at the expense of existing services for other communities.

Language needs

Of the 23,489 individuals served by VAW Grant funded community-based programs in FY 2017, 18% were limited English proficient. Figure 48 shows their primary language.

Figure 48 Primary Language (when not English) of Those Served by Grant-Funded Community-Based Organizations, FY 2017

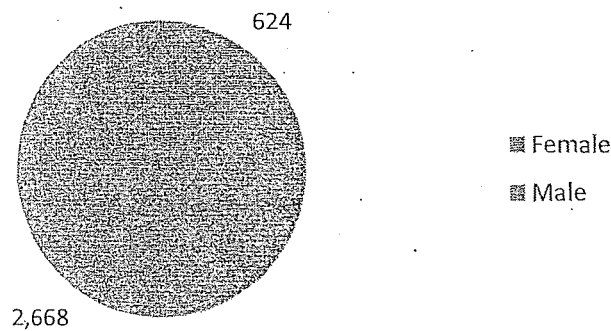


Who are the perpetrators?

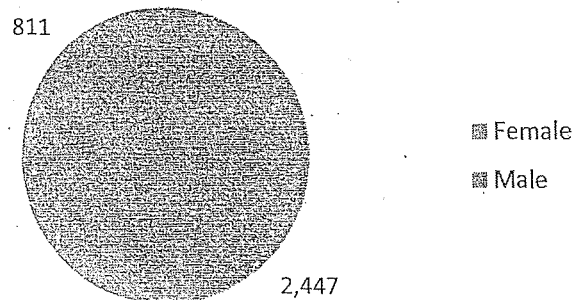
Gender

Police Department data shows us that, overwhelmingly, those suspected of domestic violence are men, and their victims are women. Men make up 81% of the suspects, and women are the victims in 75% of cases (Figure 49 and 50). The caseload of the Adult Probation Department echoes this – 97% of their domestic violence probationers were male in FY 2017. Juvenile Probation also reflects this data: zero of the sustained domestic violence petitions concerned females. Over the last seven years, just 20% of sustained juvenile petitions for domestic violence have been against females.

**Figure 49 San Francisco Police Department:
Gender of Domestic Violence Suspects, Where Known,
FY 2017 (n: 3,292)**



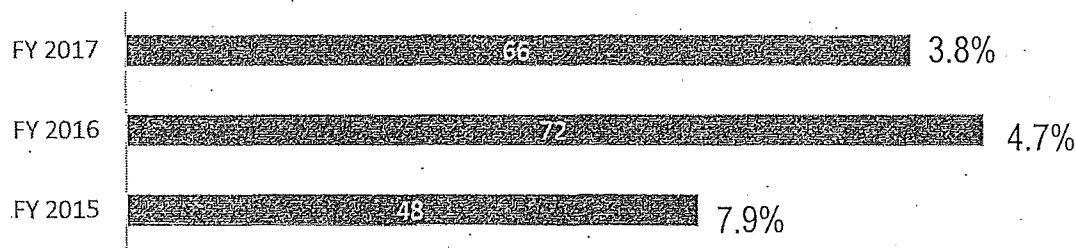
**Figure 50 San Francisco Police Department:
Gender of Domestic Violence Victims, Where Known,
FY 2017 (n: 3,258)**



The gender disparity found in the figures from law enforcement does not fit with the 'self-reported' CDC research on the gender of domestic violence victims. The CDC report says that 35% of women in California and 31% of men have experienced domestic violence at some time during their lives.⁴³ Could one explanation for the high number of male suspects could be that police are more likely to arrest men for domestic violence crimes than women? Research from the UK has found the opposite is true. In a longitudinal study of 128 domestic violence cases, women were three times more likely than men to be arrested when they were construed as the perpetrator.⁴⁴

The same study also found that police appeared more ready to arrest women despite patterns of violent behavior that were less intense or severe than the patterns exhibited by men.⁴⁵ Data from the Sheriff Department's Survivor Restoration Program (SRP) – a service that supports and empowers victims of domestic violence – suggests something similar may be happening in San Francisco. Of the 1,728 women supported by the Survivor Restoration Program in FY 2017, 66 had been arrested for domestic violence themselves. Last year it was 72 women – almost 5% of all clients – and in FY 2015 it was 48 women. 7.9% of all clients (Figure 51). Staff have reported that in many cases, these women had called the police themselves following abuse from their partner, and were then arrested at the scene, sometimes following inflicting a minor, defensive wound. This is very concerning, not least because what happens next suggests the arrests might have been unwarranted. SRP staff report that in many instances, the cases were dropped the day after the arrest. They also report that many of those arrested were Latina or Black women, and many had limited English proficiency. Of the 66 survivors on the SRP arrested for domestic violence in 2017, only nine ultimately had charges filed against them – just 14%. This compares to a filing rate of 25% across all domestic violence cases received by the District Attorney in FY 2017. The average filing rate between 2015 – 2017 was 30%.

Figure 51 Sheriff Department Survivor Restoration Program: Female Clients⁴⁶ Charged with Domestic Violence, and a Percentage of Total Clients, FY 2016 - 2017



⁴³ Smith, S.G. et al (2017) p.144

⁴⁴ Hester, M. 'Portrayal of Women as Intimate Partner Domestic Violence Perpetrators', *Violence Against Women* 18(9) pp.1067–1082 (2012) p.1067

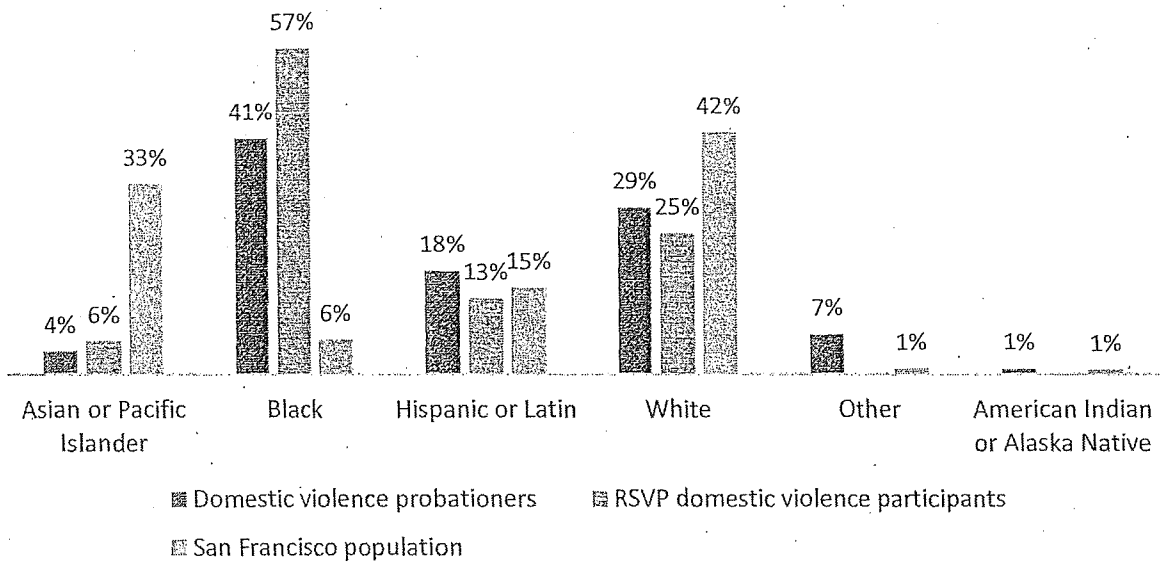
⁴⁵ Ibid. p.1075

⁴⁶ * The vast majority of SRP clients are female, with five men supported in FY 2015, 12 in 2016 and 11 in 2017

Ethnicity

The District Attorney’s Office does not currently have a reliable source of information on the ethnicity of domestic violence suspects and defendants, and so is not able to share these figures. However, we can see through Adult Probation’s figures on its domestic violence probationers that Black men are disproportionately represented (Figure 52, below). The same is true for participants in the Sheriff Department’s in-custody program for offenders, the Resolve to Stop the Violence Program (RSVP – see page 78 for more information).

Figure 52 Ethnic Breakdown Domestic Violence Probationers and RSVP Participants, Compared to San Francisco Population, FY 2017



Disproportionality in the justice system

When using these data, it is important to consider the increased likelihood of perpetrators of color encountering the criminal justice system. A report by the W. Haywood Burns Institute found that in 2013, there were a disproportionate number of Black adults represented at every stage of the criminal justice process in San Francisco. Despite making up just 6% of the adult population, Black adults represent 40% of people arrested, 44% of people booked in County Jail, and 40% of people convicted. When looking at the relative likelihood of system involvement, Black adults are 7.1 times more likely as White adults to be arrested, 11 times as likely to be booked into County Jail, and 10.3 times as likely to be convicted of a crime in San Francisco.⁴⁷ More recent independent research (2017) on the racial

⁴⁷ *San Francisco Justice Reinvestment Initiative: Racial and Ethnic Disparities Analysis* (2016) The W. Haywood Burns Institute for Justice Fairness and Equity (p.4) Available here: https://www.burnsinstitute.org/wp-content/uploads/2015/06/SF_JRI_Full_Report_FINAL_7-21.pdf

disparities in cases processed by the San Francisco District Attorney concluded that there were substantial racial and ethnic disparities in criminal justice outcomes that tend to disfavor minority defendants, and Black people in particular.⁴⁸ Black people fared poorly compared to white people across all outcomes in the research, including being less likely to have their cases dropped or dismissed.⁴⁹ The report also concluded that: “[n]early all of the racial disparities in case disposition outcomes can be attributed to the differences in case characteristics that are determined prior to a case being presented to the San Francisco District Attorney.”

What support is available for perpetrators?

Adult Probation Department services

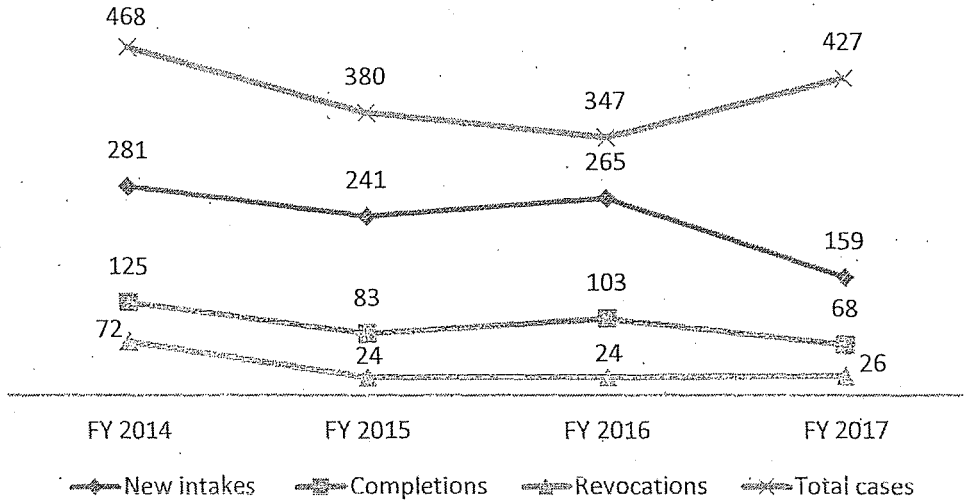
The Adult Probation Department supervises individuals convicted of domestic violence as they complete the court-ordered conditions of probation. Probation Officers work directly with their clients to develop treatment and rehabilitation plans that are consistent with their criminogenic needs.

At the end of FY 2017, Figure 53, below, shows that the Adult Probation Department Domestic Violence Unit was supervising 427 individuals, a 23% increase from last year. However, use caution when interpreting this percentage increase. This increase reflects a difference in data reporting. In FY 2016, the Adult Probation Department reported figures for “active” clients only; whereas in FY 2017, the Adult Probation Department reported figures for both “active” and “suspended” clients. Cases may be suspended while a revocation is investigated, or because an individual fails to attend a court date. New intakes have declined by 40% since FY 2016 – which may be a reflection of the 19% reduction in prosecutions for domestic violence in FY 2017.

⁴⁸ MacDonald, J. and Raphael, S. *An Analysis of Racial and Ethnic Disparities in Case Dispositions and Sentencing Outcomes for Criminal Cases Presented to and Processed by the Office of the San Francisco District Attorney* (2017) University of Pennsylvania and University of California, Berkeley
https://sfdistrictattorney.org/sites/default/files/MacDonald_Raphael_December42017_FINALREPORT%20%28002%29.pdf p.136

⁴⁹ Ibid. p.3

Figure 53 Persons Supervised by Adult Probation Department Domestic Violence Unit, FY 2014 – 2017



When a person convicted of domestic violence is referred to the Adult Probation Department for supervision, they are referred to a 52-week Batterers’ Intervention Program, run by a community agency and certified by the Adult Probation Department. There were ten certified Batterers’ Intervention Programs in San Francisco as of the end of FY 2017. The Department continues to utilize the Batterers’ Intervention Program Audit Team to observe, audit and certify the programs. See page 76 for more on Batterer Intervention Programs.

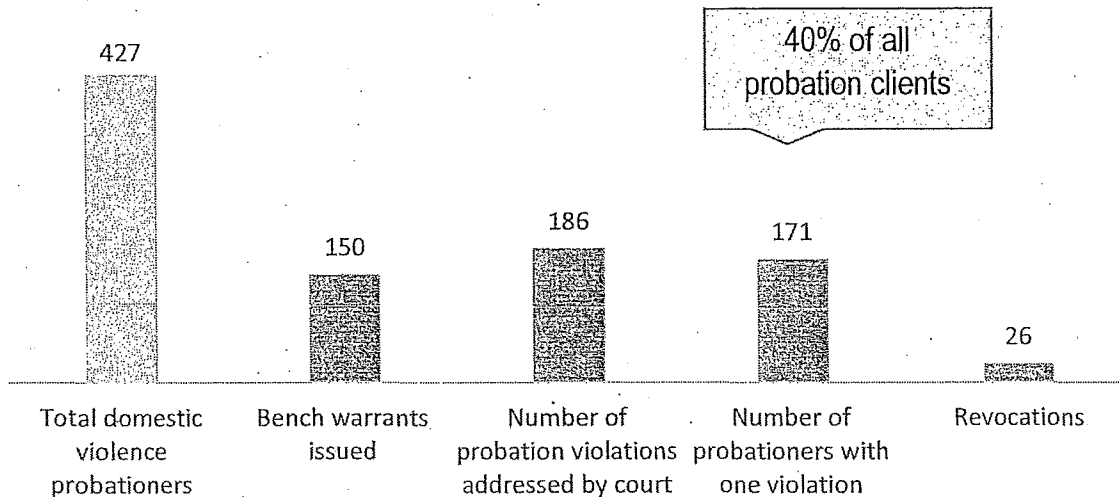
Non-compliance

Figure 53 shows that there were 26 revocations of probation in FY 2017. This figure does not necessarily represent 26 individuals, as one probation client may have more than one case. Probation revocation is one possible outcome for individuals who fail to comply with the conditions of their probation. For example, by failing to attend the Batterers’ Intervention Program or by committing another crime. The revocations data in Figure 53 includes only ‘revoked and sentenced’ cases – cases in which a violation is found to have taken place. It does not include ‘administratively revoked’ cases – cases in which probation is administratively revoked while an alleged violation is investigated. In these cases, a bench warrant may be issued and the violation addressed by court.

Included for the first time in this report, Figure 54 provides figures on how often these violations occur. These data show that although there is only a small number of probation ‘revoke and sentence’ cases each year, there are significant number of individuals committing alleged violations serious enough to be addressed by court. Figure 54 includes data on the number of violations and the number of probationers with violations. However, the Adult Probation Department has shared that of the 186 total violations addressed by the court in FY 2017, 92% were committed by a probationer with one violation. It appears that this may not be a case of multiple violations being committed by a small group of

probationers. There are 171 individual probationers (40% of the total) who exhibited one instance of noncompliant behavior that was addressed by the court. We do not know how many probationers committed the additional 15 violations. Violations can be new arrests as well as technical violations such as not reporting, failing a drug test, contraband, failing to appear in court, failing the program, etc. Not all violations are new arrests.

Figure 54 Adult Probation Department Domestic Violence Unit: Non-Compliance Figures, FY 2017

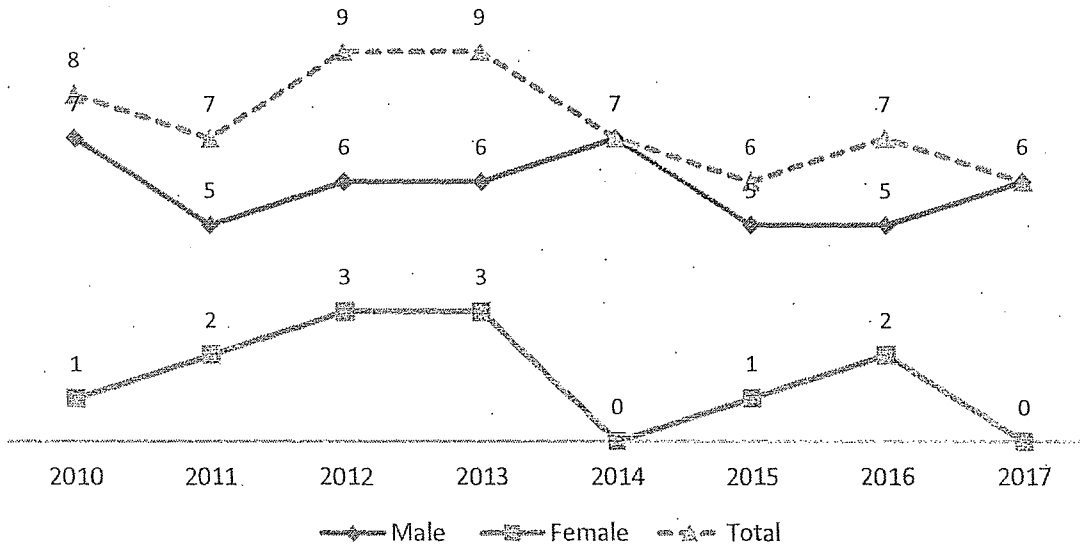


Juvenile Probation

The Juvenile Probation Department provides services to youth who are alleged and/or have been found to have committed crimes, as well as youth who are alleged to have been/have been found to be beyond their parents' control, runaway, or truant. After their arrest, each youth is assigned a probation officer who investigates the circumstances of the arrest and all relevant social and family issues.

In 2017, there was a 30% reduction in the number of juveniles (aged between 12 and 17-years-old) petitioned for domestic violence, from 13 in 2016 to nine in 2017. A petition happens when the State thinks a juvenile has done something wrong; a judge then decides if the petition should be sustained or not. Six of the nine domestic violence petitions were sustained (see Figure 55, below), a reduction of one compared to 2016. In 2016, 14% of sustained petitions involved felonies, whereas in 2017, all successful petitions were for misdemeanors. Over the last seven years, just 20% of successful petitions for domestic violence have concerned female juveniles.

Figure 55 Juvenile Probation: Petitions Sustained for Domestic Violence, by Gender, FY 2010 - 2017



Batterer Intervention Programs

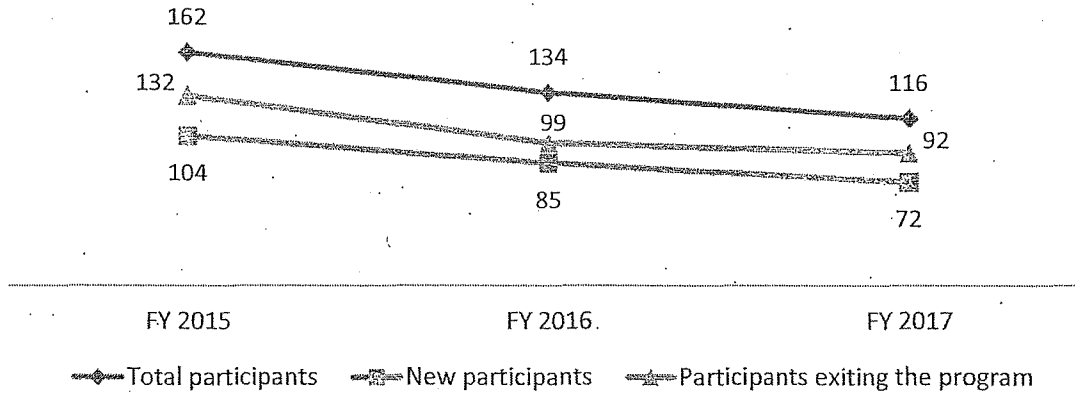
There are currently ten certified Batterer Intervention Programs operating in San Francisco. They are certified by the Adult Probation Department. At present, the Department is unable to provide outcomes data on the ten programs. It will be important in the future to track outcomes for Batterer Intervention Programs – including rates of recidivism – across San Francisco. However, this year’s report does include detailed outcomes data on the Manalive Program, which works with a proportion of domestic violence perpetrators attending court-mandated Batterer Intervention Programs.

Manalive Program

The Sheriff’s Department uses the Manalive Violence Prevention Program curriculum both in the jails and at community-based sites to support domestic violence offenders. To complete the program, participants must attend a 52-week court-approved Batterers’ Intervention Program. The 52 weeks are broken down into three stages, and the curriculum includes check-ins and feedback that help men identify and articulate emotions, step-by-step deconstruction of violent behaviors, and discussion and breakdown of the male-role belief system. Participants learn practical skills to recognize what triggers them to react with anger, violence and other destructive behaviors, and ways to make alternate, pro-social choices to stop their violence.

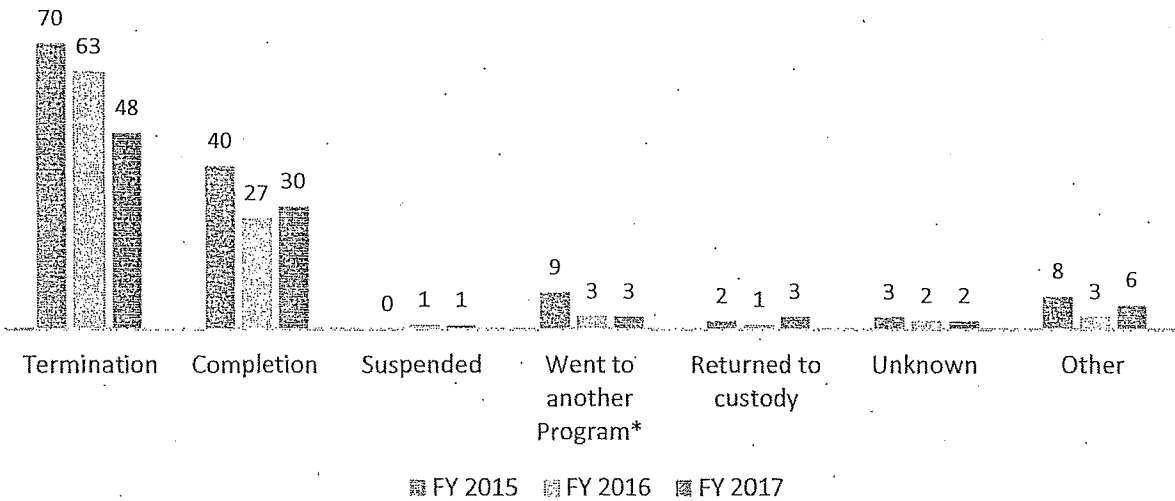
In FY 2017, 116 individuals participated in the Manalive Program – a 13% reduction compared to last year. Figure 56 reflects the fluidity of open enrollment; a participant is likely to enter the program one year, and exit in another.

Figure 56 Manalive Program: Individuals Participating, FY 2015 - 2017



In FY 2017, there was a 33% completion rate for the program. This means that of the 116 individuals who took part, 38 completed the Program – far fewer than the total number who exited the program. Included for the first time in this report, Figure 57 shows the breakdown of reasons why participants exited the program, aside from completion.

Figure 57 Manalive Program: Exit Outcomes, FY 2015 - 2017

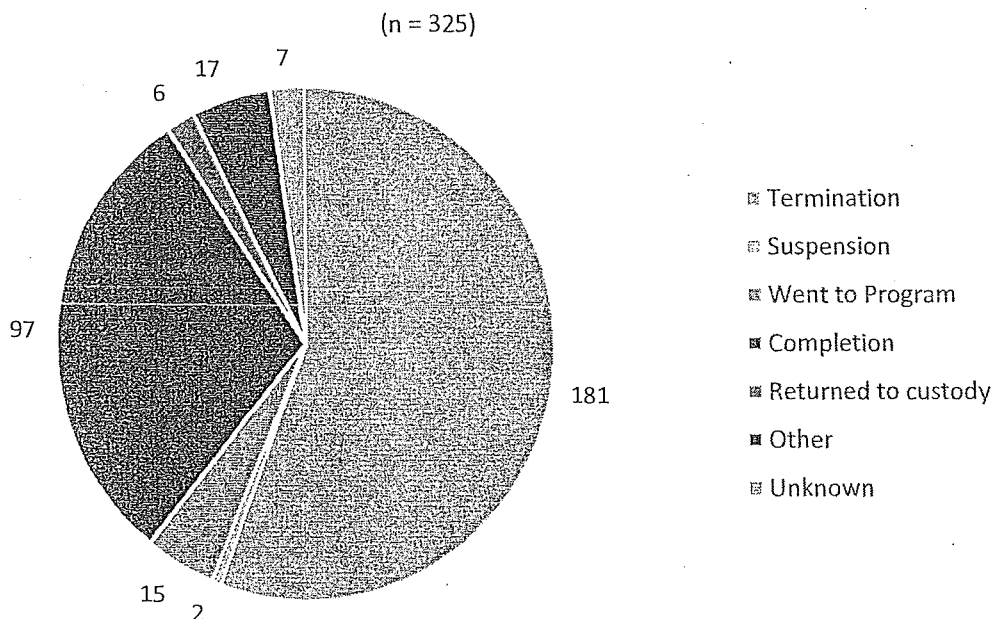


*This is when an individual exits Manalive to go to a program better suited to their needs, such as a substance use disorder program

Figure 57 shows that in FY 2017, a higher percentage of participants exiting the program were doing so because they had completed it than in FY 2016, and a lower percentage were exiting due to termination.

Termination happens if a participant misses class, is non-compliant or combative, or due to substance use disorders. Figure 58, below, combines outcomes over the last three years: of the 325 individuals who have exited the Program, 56% (181 individuals) were terminated from the Program or returned to custody. Thirty percent (97 individuals) have completed the Program.

Figure 58 Manalife Program Outcomes, FY 2015 - 2017

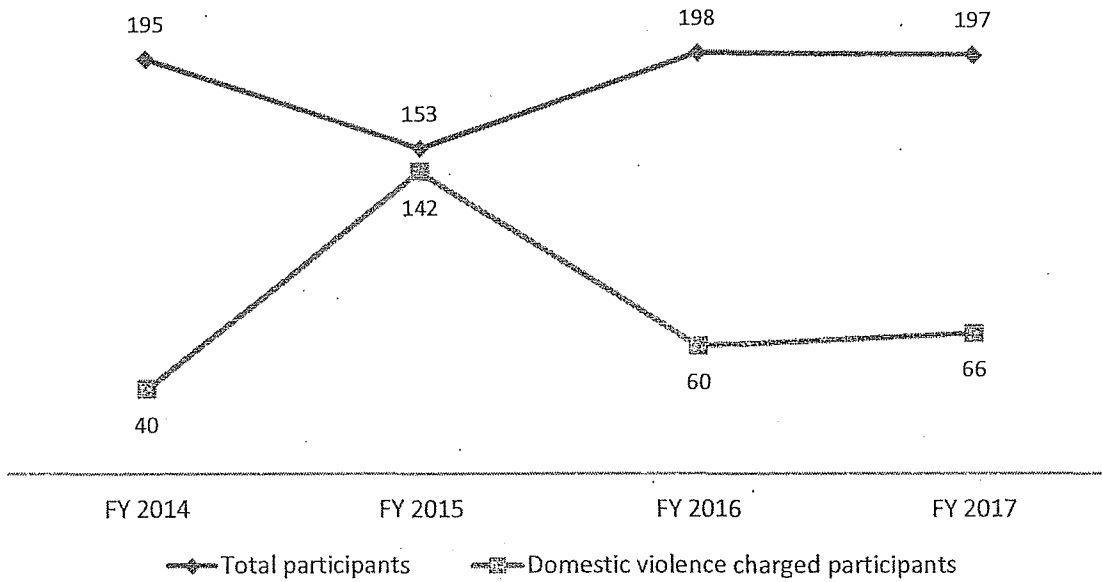


Resolve to Stop the Violence Program (RSVP)

The Resolve to Stop the Violence Project (RSVP), run by the San Francisco Sheriff’s Department, is a survivor-centered program based on a restorative justice model for in-custody offenders. The mission of Resolve to Stop the Violence Project is to bring together all those harmed by crime, including victims, communities, and offenders. RSVP is driven by victim restoration, offender accountability, and community involvement. The goals of the program include empowering victims of violence, reducing recidivism among violent offenders, and restoring individuals and communities through community involvement and support.

A recommendation of the 2012-13 Family Violence Council Report was to prioritize persons coming out of the Domestic Violence Court for the Resolve to Stop the Violence Project program. The increase in 2015 RSVP participants with domestic violence charges (Figure 59, below) addressed this recommendation. In 2017, 34% percent of Resolve to Stop the Violence Project participants were in custody on domestic violence charges; this is a slight increase on FY 2016, when it was 30%, but well below the FY 2015 high of 93%.

Figure 59 Sheriff Department RSVP: Participant Breakdown,
FY 2014 - 2017



Chapter 2: Child Abuse



Key findings

Substantiated cases of child abuse

- Substantiated cases of child abuse reduced by 25% compared to CY 2016, and 37% compared to CY 2014. Overall, the number of substantiated instances of child abuse per 1,000 children has decreased by 67% since 2003.
- The 25% drop in substantiations is not reflected in the number of allegations made, which reduced by just 6% in 2017.

Types of child abuse

- Most common substantiated child abuse allegation was general neglect, and victims of this form tended to be younger.
- 93% of 2017 prosecutions for child abuse were males prosecuted for sex crimes.

Survivors of child abuse

- **Boys and girls are being abused in roughly equal numbers.** However, girls are far more likely to experience all forms of sexual abuse and exploitation.
- Overall, babies aged one-year-old or under were the most commonly abused group, accounting for 27% of all victims. Children aged zero to five-years-old accounted for 47% of victims.
- **Huge racial disparity when it comes to child abuse in San Francisco:**
 - For Black children, 28 in every 1,000 have cases of abuse against them substantiated. For Native American children, it is 25 in every 1,000. This compares to seven in every 1,000 Latinx children, two in every 1,000 White children, and one in every Asian child.
 - Rate of abuse per thousand children is going down for every ethnic group apart from Native American children, for whom it has continued to increase since CY 2015.
 - San Francisco and California have Black populations of around 6%, yet in 2017, Black children made up 38% of substantiated allegations of child abuse in San Francisco in 2017, compared to 15% in California.
- **Since 2014, 98% of all victims of sexual abuse have been children of color; 81% have been female children of color.**

Suspects of child abuse

- Overall, in cases where abuse allegations were substantiated, suspected abusers were most likely to be parents. Boys were more likely than girls to have a substantiated allegation in which the perpetrator was of no relation. Girls were more likely than boys to have a substantiated allegation of abuse by a relative other than a parent or grandparent.
- Number of arrests for child abuse has decreased by 19% compared to 2016. This fits with the reduction in substantiated allegations (25%). The arrest rate also fell by 5 percentage points to 15%. This compares to an arrest rate of 52% for domestic violence, and 32% for elder abuse.
- There were 76 cases prosecuted in 2017, a decrease of 10%. However, the prosecution rate for child abuse increased, from 58% of cases received by the District Attorney being prosecuted in 2016, to 64% of cases being prosecuted in 2017.

Introduction

Child abuse is any act or failure to act that endangers a child's physical or emotional health and development. Child abuse often takes place within the home or involves a person the child knows, such as a relative, babysitter, friend or acquaintance. There are four recognized forms of child abuse:

- **Neglect:** Failure to provide for a child's basic needs (physical, educational, and/or emotional)
- **Physical abuse:** injury because of hitting, kicking, shaking, burning, or otherwise harming a child
- **Sexual abuse:** Indecent exposure, fondling, rape, or commercial exploitation through prostitution or the production of pornographic material
- **Emotional abuse:** Any pattern of behavior that impairs a child's emotional development or sense of self-worth, including constant criticism, threats, and rejection

(Source: Safe & Sound)

In California in CY 2017, there were almost 69,000 substantiated cases of child abuse. A further 125,949 cases investigated were found to be 'inconclusive'.

The impact of child abuse is severe and life-long. Victims of child abuse face multiple challenges throughout their lives. Children that have been abused are:

- 77% more likely to require special education than non-abused children
- 59% more likely to be arrested as juveniles than their non-abused peers
- 28% more likely to have an adult criminal record than non-abused peers
- Twice as likely to be unemployed as adults compared to their non-abused peers

Additionally, on average, the healthcare costs of adults who were maltreated as children are 21% greater than for adults who were not abused.⁵⁰ The Adverse Childhood Experiences (ACE) Study, conducted by Kaiser Permanente and the Center for Disease Control and Prevention (CDC), clearly demonstrates the health implications of child abuse and other childhood traumas. The study asked over 17,000 adults about their experiences in childhood and tracked their subsequent health and behavioral outcomes. The more 'ACEs' and adult reported (and so the more cumulative stress they had been exposed to in childhood) the more likely they were to have experienced health issues such as alcohol abuse, depression, illicit drug use, suicide attempts, and intimate partner violence, as well as physical health problems, such as cardiovascular disease and liver disease, to name a few.⁵¹

Here again, we see the interconnectedness of different forms of family violence. If a child grows up in an environment where they do not feel safe, they may be less able to protect themselves from violence in the future. According to research gathered in the CDC's *Connecting the Dots* report, while most people who are victims of violence do not act violently, "children living in a persistently threatening environment are more likely to respond violently (fight) or run away (flight) than children who grow up

⁵⁰ Source: Safe & Sound <https://safeandsound.org/what-we-do/the-problem/>

⁵¹ Find out more about the Adverse Childhood Experiences study here:
<https://www.cdc.gov/violenceprevention/acestudy/about.html>

in safe, stable, and nurturing environments. Fight-or-flight responses are survival skills that people are born with and often override other skills that enable non-violent conflict resolution, such as impulse control, empathy, anger management, and problem-solving skills.⁵² As such, the implications of child abuse are profound; there are repercussions not only for the victims but for their families, communities, and the whole of society.

Note on the data in this chapter

There are five main sources of Government data that help us understand child abuse in San Francisco are experiencing: data from the *California Child Welfare Indicators Project*,⁵³ maintained by the University of California, Berkeley, which includes numbers from San Francisco's Family and Children's Services; data from the family violence related 911 calls received by the Department of Emergency Management; San Francisco Police Department victim data; data on District Attorney Victim Services clients; and data from programs that address broader forms of child trauma, such as the Department of Public Health's Child Trauma Research Program. In addition, this chapter includes information from non-governmental, community-based organizations, primarily Safe & Sound (formerly known as the Child Abuse Prevention Fund).

What are the levels of child abuse in San Francisco?

As with all forms of family violence, it is impossible to get a true picture of child abuse in our city because it happens behind closed doors. The most comprehensive data comes from San Francisco Family and Children's Services (also known as Child Protective Services, or CPS), because it includes not only cases pursued by law enforcement, but any allegation of abuse against a child, including those that were ultimately unsubstantiated. This data is presented and analyzed via the California Child Welfare Indicators Project (CCWIP) which can be accessed online.

Figure 60 shows data that best summarizes the levels of child abuse in San Francisco. The chapter will explore these data in more detail under its section headings. Figure 60 includes – this year for the first time – children who were supported in community-based services for victims of domestic violence, sexual violence and/or human trafficking. Some of these children will have witnessed their parent being abused at home. Some will have experienced abuse at the hands of the same perpetrator. Others will have been abused independent of their parents. Some will have experienced all three. It is important to capture all these experiences; even if a child is not directly abused, having an abused parent can be

⁵² Wilkins, N., Tsao, B., Hertz, M., Davis, R., Klevens, J. (2014). *Connecting the Dots: An Overview of the Links Among Multiple Forms of Violence*. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention Oakland, CA: Prevention Institute. Available at: https://www.cdc.gov/violenceprevention/pdf/connecting_the_dots-a.pdf (p.2)

⁵³ Webster, D., Lee, S., Dawson, W., Magruder, J., Exel, M., Cuccaro-Alamin, S., Putnam-Hornstein, E., Wiegmann, W., Saika, G., Eyre, M., Chambers, J., Min, S., Randhawa, P., Sandoval, A., Yee, H., Tran, M., Benton, C., White, J., & Lee, H. (2018). *CCWIP reports*. Retrieved 6/7/2018, from University of California at Berkeley California Child Welfare Indicators Project website. URL: <http://cssr.berkeley.edu/ucb-childwelfare>

extremely traumatizing, and place them at risk of abuse in the future (see page 113 for more on risk factors and protective factors for child abuse). Similarly, this chapter will include data on child witnesses of domestic abuse from agencies like the Department of Public Health. Where possible, the report disaggregates children in these services according to the form of abuse they experienced.

Figure 60 Child Abuse in San Francisco, FY 2015 - 2017

	FY 2015	FY 2016	FY 2017	% change FY 2016 – 17
Number of child abuse allegations to Child Protective Services	5,553	5,423	5,114	-6%
Number of child abuse cases substantiated by Child Protective Services.	753	683	509	-25%
Safe & Sound TALK Line Calls	14,785	12,216	12,285	+0.6%
Safe & Sound Safe Start Families Served	354	362	269	-26%
Cases at Children’s Advocacy Center	308	258	216	-16%
911 child abuse calls	36	34	332	+876% ⁵⁴
Cases responded to by SFPD	296	423	460	+9%
Cases investigated by SFPD SVU	145	199	210	+6%
District Attorney cases prosecuted	62	84	76	-10%
District Attorney prosecution rate	50%	58%	64%	+6% points
Child Abuse convictions by trial	2	0	1	N/A
Child Abuse conviction rate	67%	N/A	50%	-17% points
District Attorney Victim Services: child abuse victims served ⁵⁵	556	376	654	+74%
Child abuse probationers	55	25	15	-40%
Department of Public Health: Child Trauma Research Program cases	250	225	174	-23%

⁵⁴ Large increase due to a change in the way child abuse calls are counted – in previous years, our report has not included 911 calls relating to the sexual abuse of an individual under 15 years old in this category.

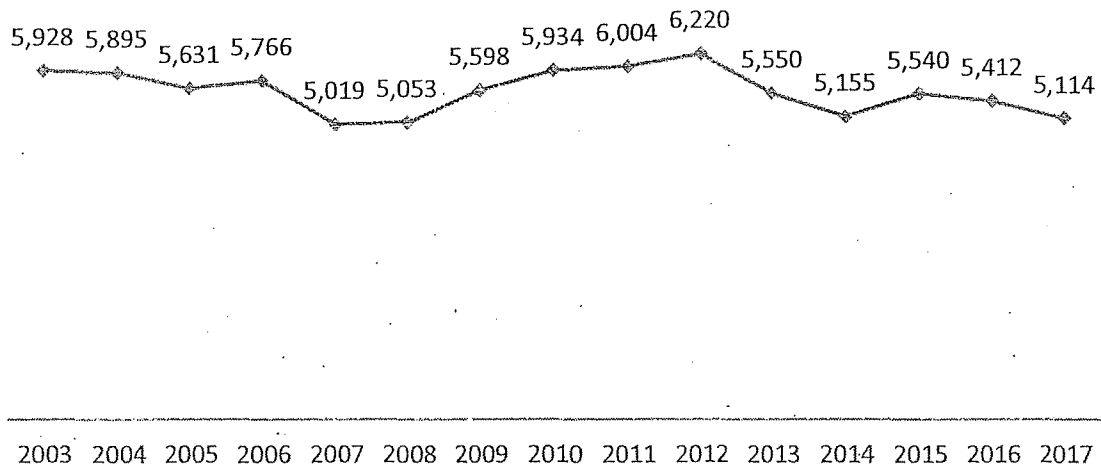
⁵⁵ Includes victims of child abuse and child witnesses to domestic violence.

Child abuse reports

Family and Children's Services (FCS) is a division of the Department of Human Services that protects children from abuse, and works in partnership with community-based organizations to support families in raising children in safe, nurturing homes. Allegations of child abuse come to FCS via its confidential hotline, open 24 hours a day, seven days a week. Calls may come from concerned members of the public or mandated reporters, such as educators, childcare providers or medical professionals.

Child abuse reports to FCS have decreased in San Francisco by 6% since FY 2016, from 5,412 to 5,114. As Figure 61 shows, this is a steeper decline than in FY 2016, when allegations reduced by just 2%. Child abuse allegations in San Francisco are now at their lowest levels since 2008.

Figure 61 Family and Children's Services: Number of Child Abuse Allegations in San Francisco, CY 2003 - CY 2017



Other routes for reporting child abuse

Calling 911

The Department of Emergency Management receives a small number of 911 calls relating to child abuse each year. Members of the public are far more likely to call the well-publicized FCS hotline if they have concerns about a child unless they witness an assault. Thirty of the 33 child-abuse-coded 911 calls in 2017 were about an assault (Figure 62), a pattern that closely matches previous years.

This year's report includes for the first time 911 calls relating to the sexual abuse of an individual under 15 years of age. Although these calls are not coded as 'child abuse' (CA) by 911 call handlers, it is critical to highlight the significant number of dispatches for this call type. There were 299 calls in FY 2017. When these calls are included, they account for 90% of all child abuse 911 dispatches in 2017 (Figure 62), and 4% of the total dispatches for all family violence, including domestic violence, stalking and elder abuse.

Mandated reporters

Child-serving professionals, such as teachers, coaches, and doctors are relied upon to recognize signs of child abuse and take action by reporting any suspected abuse to FCS. This helps ensure that children who have been or are suspected of being abused are identified and that they and their families are connected to the support they need.

Figure 63 details the number of reports educators made to FCS in Year (SY) 2017, as well as in previous years.

Figure 62 Department of Emergency Management:
Breakdown of 911 Child Abuse Call Types,
FY 2017

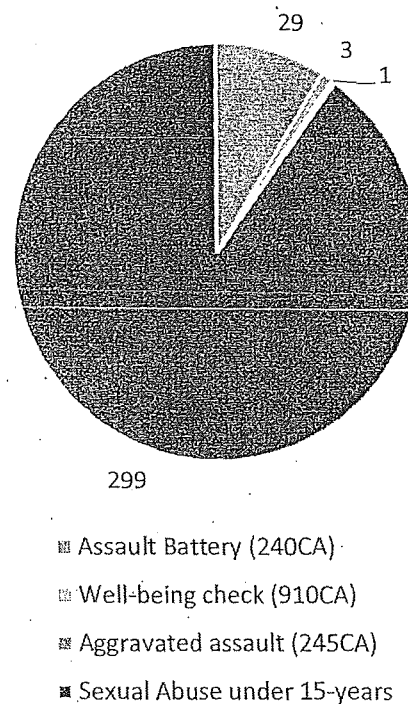


Figure 63 Family and Children’s Services: Children with Maltreatment Reports by School Reporter, Type and School Year,⁵⁶ SY 2015 – 2017

	SY 2015	SY 2016	SY 2017	% change, SY 2016 - 2017
SFUSD Elementary Schools	612	813	681	-16%
SFUSD Middle Schools	212	298	295	-1%
SFUSD High Schools	259	355	241	-32%
SFUSD Mixed Grades	91	100	149	+49%
Private Schools	117	152	115	-24%
Non-SFUSD Preschools & Day Care Centers	62	65	74	+14%
SFUSD Admin	31	30	28	-7%
Other (No school identified)	2	10	8	-20%
Other School District	12	4	5	+25%
SFUSD Child Development Centers and Preschools	30	33	4	-88%
Total	1,428	1,860	1,600	-14%

Overall, the total number of maltreatment reports coming from schools has reduced by 14%, having increased significantly from School Year 2015 to School Year 2016. The most significant reductions came from SFUSD Child Development Centers and Preschools, which dropped from 33 Maltreatment reports in 2016 to just four in 2017. There was also a significant decrease in the number of reports coming from SFUSD High Schools – they dropped 32%, from 355 in SY 2016 to 241 in SY 2017.

The significant reduction in the number of child abuse reports made by school personnel in the three-year period of 2015-2017 coincides with the passage of AB 1432, which mandates annual mandated reporter training for school personnel and resulted in the development of a statewide, on-line training module that satisfies this requirement. AB 1432 became effective in January 2015; SFUSD developed its own on-line mandated reporter training for school personnel and took a few years to implement fully AB 1432. With the on-line training, there are almost no in-person mandated reporter trainings for school personnel in SFUSD. Factors such as the ability to ask questions about specific issues and experiences and the provision of information about child welfare suggest that in-person mandated reporter training has a much greater impact on the likelihood of mandated reporters reporting suspected abuse. The difference in the effectiveness of in-person mandated reporter trainings compared to those on-line may have contributed to the decline in child abuse reporting from SFUSD personnel during this period.

Mandated Reporter Trainings

In FY 2017, Safe & Sound trained a total of 1,556 child-serving professional to recognize and report child abuse. Of those trained, 99% said that they are now more likely to report their suspicions of child abuse.

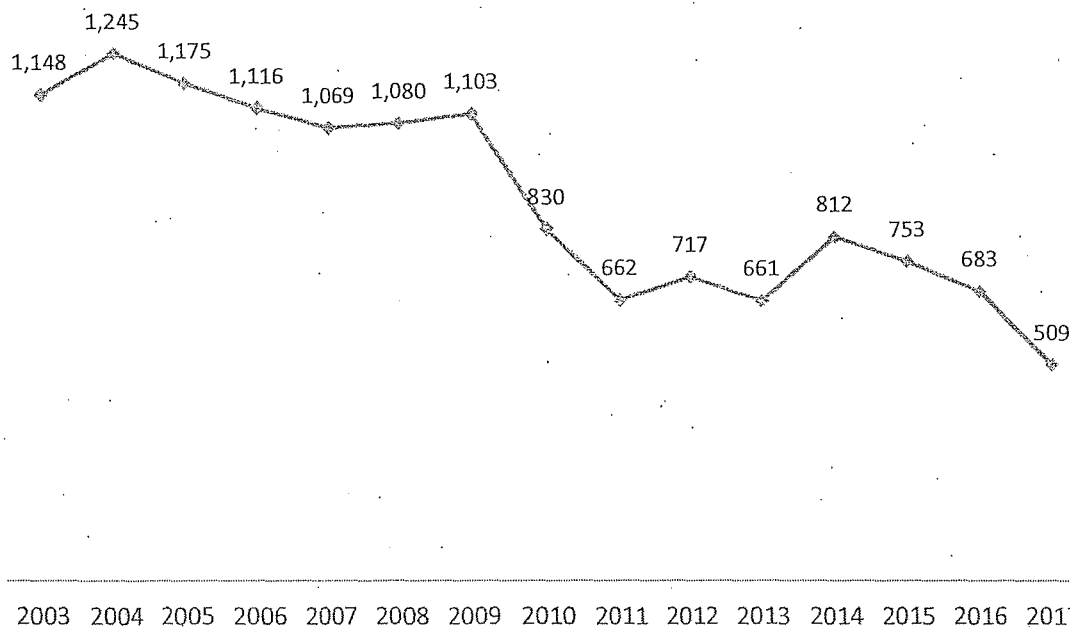
⁵⁶ These figures differ from previous reports, due to a new, more accurate way of gathering the data

Substantiating allegations

Child Protective Services (CPS) uses a method called “differential response” when it receives an allegation of abuse. Based on information taken during the hotline call or referral, CPS social workers assess the evidence of child abuse. There are three possible pathways: the first is evaluating families out of the system, not opening an investigation and instead referring them to services in the community; the second is a joint response between CPS and community-based organizations, for lower risk cases, where CPS does its own brief investigation and then refers families to community services; the third is a ‘traditional’ CPS response, for higher risk cases, in which they conduct further assessment and investigation, and the police and/or courts may become involved. Under this differential response model, the social worker taking the hotline referral determines the initial response path for all referrals.

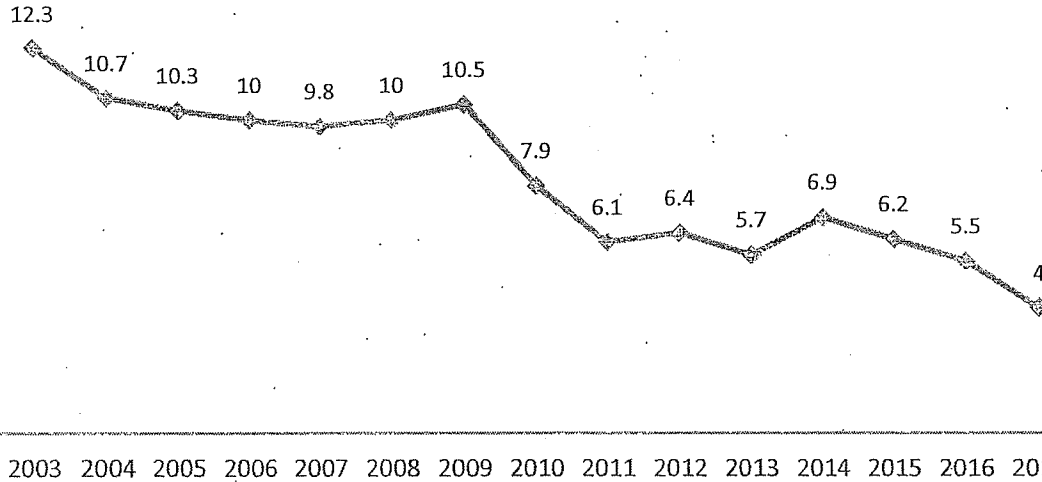
Figure 64 shows how over the past 15 years, the City and County of San Francisco has seen the number substantiated child abuse cases per year decrease by 56%, from 1,148 cases in 2003 to 509 cases in 2017. Calendar year (CY) 2017 marked the sharpest decline in some years, with the number of substantiated cases dropping by 25% since 2016.

Figure 64 Family and Children’s Services: Substantiated Cases of Child Abuse in San Francisco, CY 2003 – 2017



If we consider the rate per 1,000 children in San Francisco, the decline has been even sharper. Figure 65 shows how in 2003, 12.3 children per every 1,000 were abused in San Francisco. In 2017, it was 4 – a decrease of 67%.

Figure 65 Number of Substantiated Child Abuse Cases per 1,000 Children in San Francisco, CY 2003 - 2017



67%

reduction in rates of substantiated child abuse cases since

2003

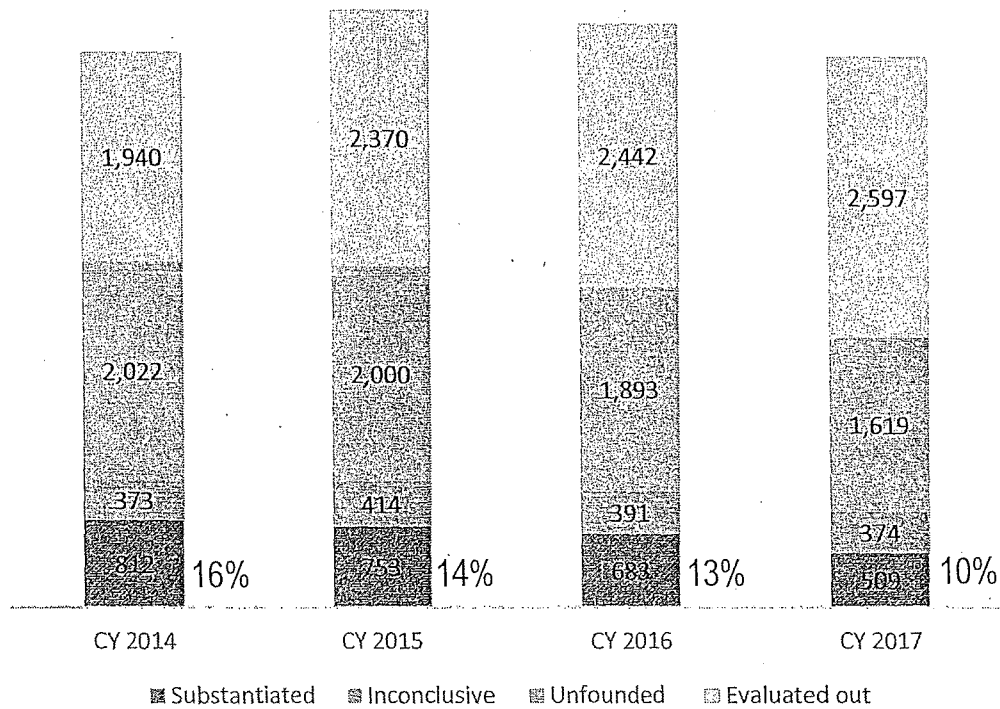
While the rates of substantiation are decreasing, these figures are likely to be an underestimation of the actual number of child abuse survivors. Many incidents of child abuse are not reported, despite significant efforts from child abuse prevention advocates. The real number of child abuse victims in San Francisco in 2017 is likely to be closer to 14,500.⁵⁷

It is notable that the changes in the rates of substantiations do not reflect similar decreases in allegations or reports of child abuse. For example, where substantiations have decreased by 37% since 2014, allegations over that same time frame have decreased by less than 1% (see Figure 61). Figure 66, below, shows the outcomes of child abuse allegations – in 2017, 51% of allegations ‘were evaluated out’ compared to 38% in CY 2014.

Research is being conducted as to why rates of substantiated abuse are decreasing. Likely reasons include: a change in the county’s socio-economic demographics of families; an intentional focus on prevention through creating and funding a network of family support centers; implementing differential (alternative) response tailored to families’ risk factors; ensuring data-informed practice; and enhancing evidenced-based programming, including certain home visitation and parenting education programs. (See page 111 for a discussion of child abuse prevention strategies in San Francisco.) It is possible, then, that some allegations are addressed before they reach CPS, while others are addressed through the second path (CPS and community organizations) without an official CPS case being opened.

⁵⁷ *The Economics of Child Abuse* (2018), Safe & Sound and Berkeley Haas School of Business https://safeandsound.org/wp-content/uploads/2017/09/economicsofabuse_report_sfcapc1.pdf

Figure 66 Family and Children's Services: Number of Allegations by Outcome of Investigation, with Percentage Substantiated,⁵⁸ CY 2015 - 2017



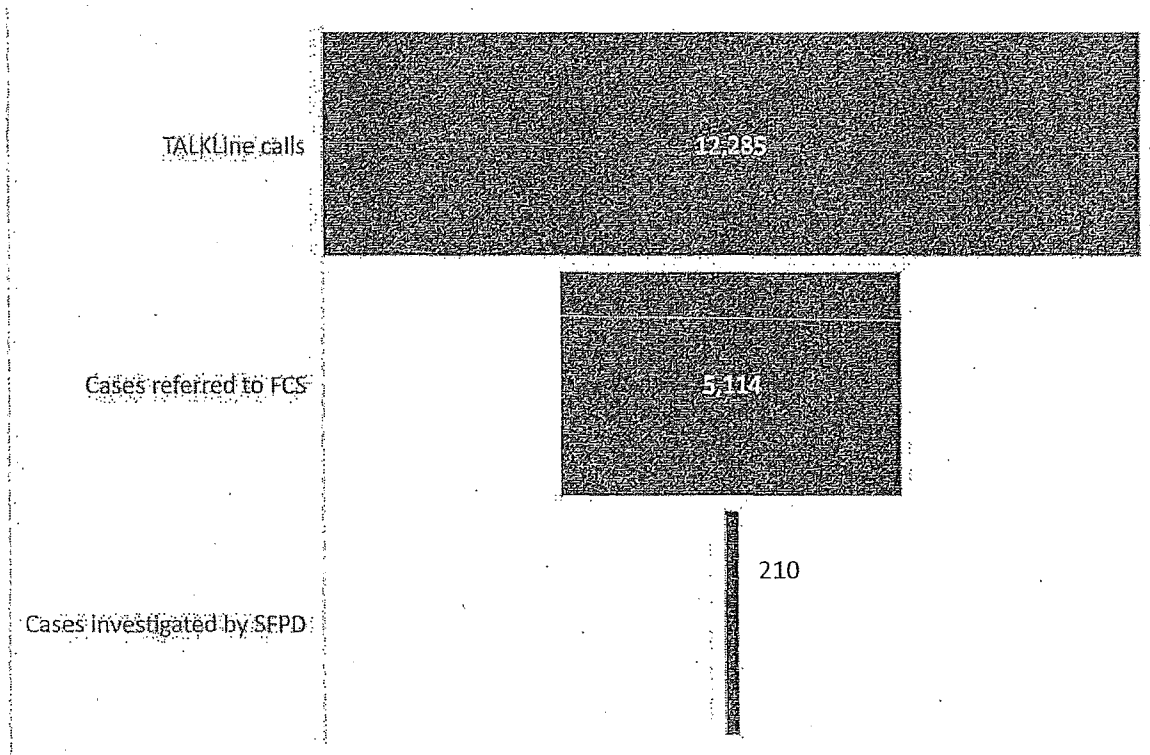
Where do those affected seek support?

Similar to the data on domestic violence, the child abuse data shows that children’s caregivers are much more likely to contact community-based agencies to seek support rather than discuss suspected child abuse with Family and Children’s Services. The number of calls to the community-based TALKLine, a parental support line run by Safe & Sound, was more than double the number of child abuse allegations

⁵⁸ Excludes cases not yet determined

referred to Family and Children's Services. There were 58 times more TALKLine calls than cases investigated by the police. Figure 67, below, displays the distribution of child abuse cases across the different systems in San Francisco, and shows how critical confidential, independent community-based services are for families in crisis.

Figure 67 Child Abuse Cases in Different Systems, 2017

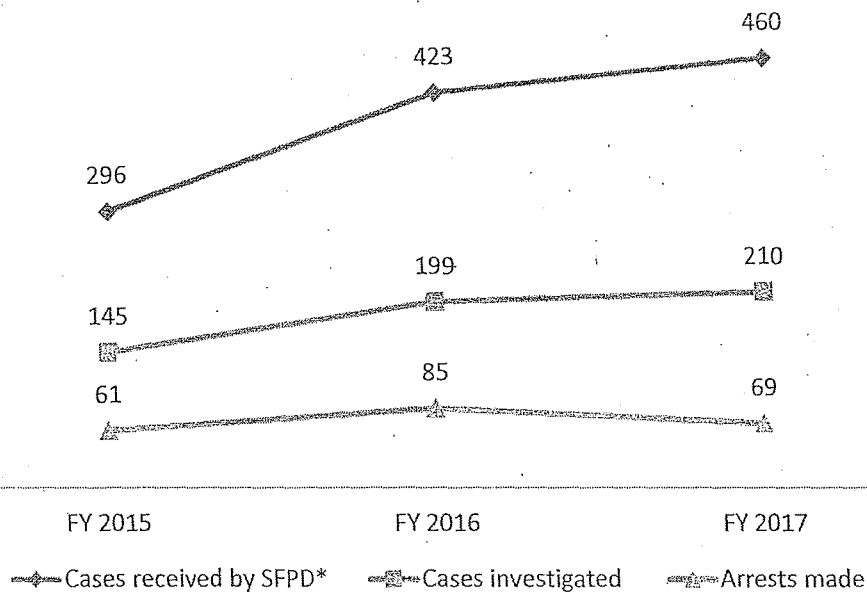


What happens to offenders?

Response from the criminal justice system

Although Child Protective Services must cross-report all substantiated cases of child abuse to the San Francisco Police Department, not all cases meet the criminal definition of child abuse. Excluding those cases referred from FCS that did not meet the criminal standard, the San Francisco Police Department received 460 cases of child abuse during FY 2017 (Figure 68, below). This is a 9% increase over FY 2016. However, the number of cases the police investigated has increased by just 6%, and the number of arrests made has decreased, by 19%. The arrest rate for child abuse has also dropped by five percentage points in FY 2017, to just 15%.

Figure 68 San Francisco Police Department: Child Abuse Cases, FY 2017

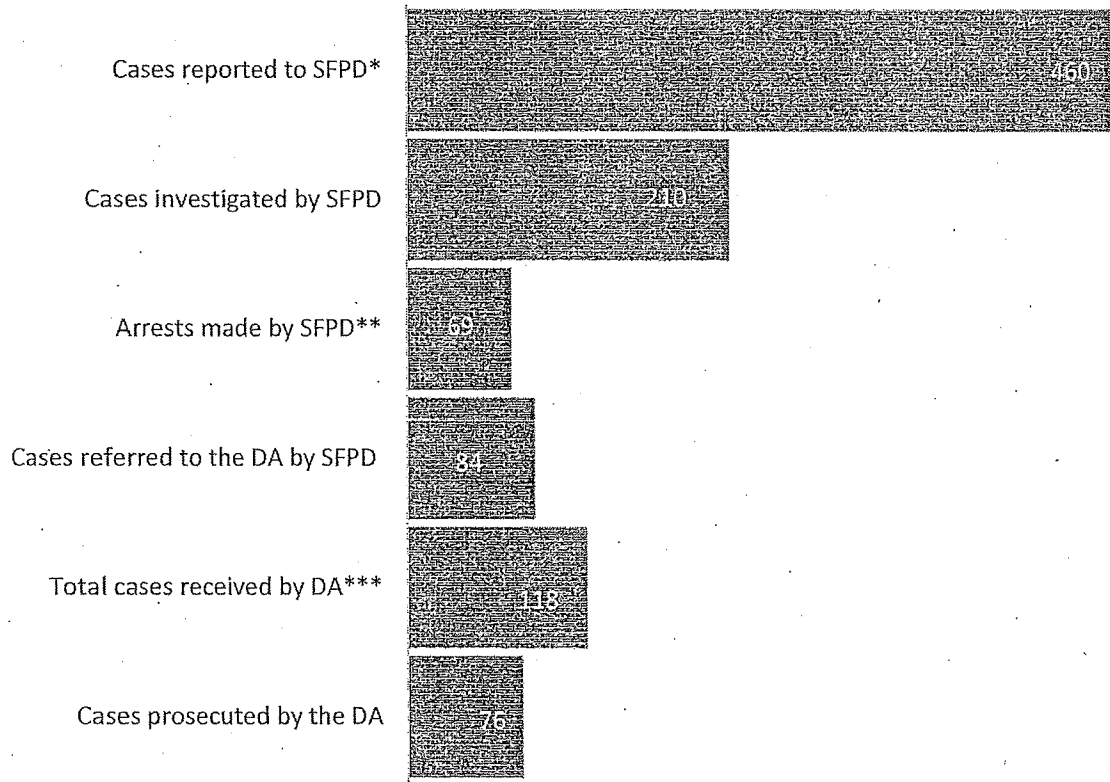


Prosecutions

The District Attorney's Child Abuse and Sexual Assault (CASA) Unit reviews all child abuse incidents and prosecutes felony cases of physical or sexual assault against children, child endangerment, human trafficking of children, and cases involving child pornography.

Figure 69 shows the flow of child abuse cases through the criminal justice system.

Figure 69 Flow of Child Abuse Cases through the Criminal Justice System, FY 2017



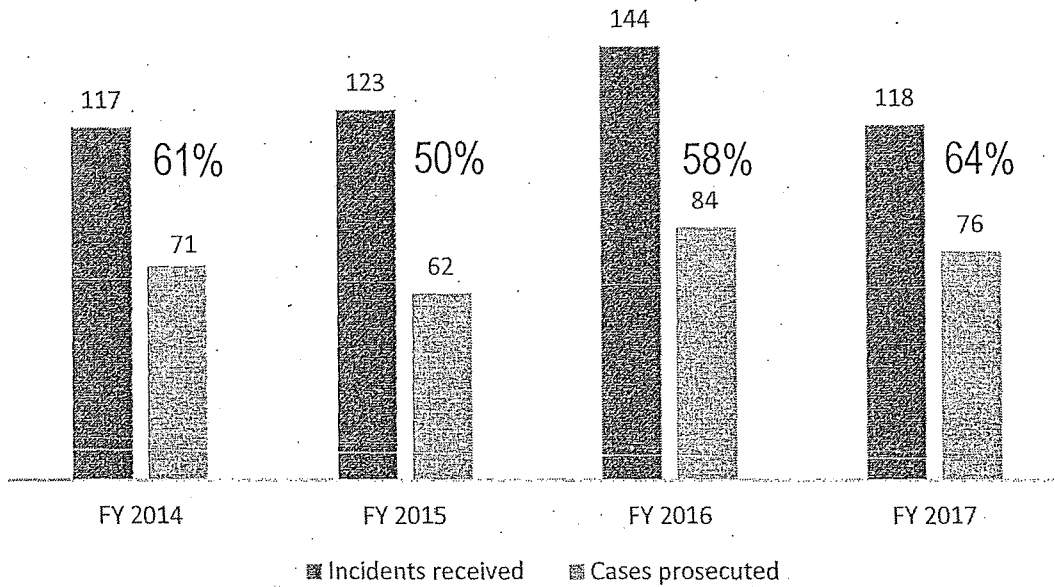
*Excludes cases referred from FCS that do not meet the criminal standard.

**'Arrests made' are fewer than the cases referred to the DA because if the suspect has fled the scene, SFPD must refer the case to the DA *first*, to get a warrant for the arrest.

***This includes cases referred from SFPD and misdemeanors.

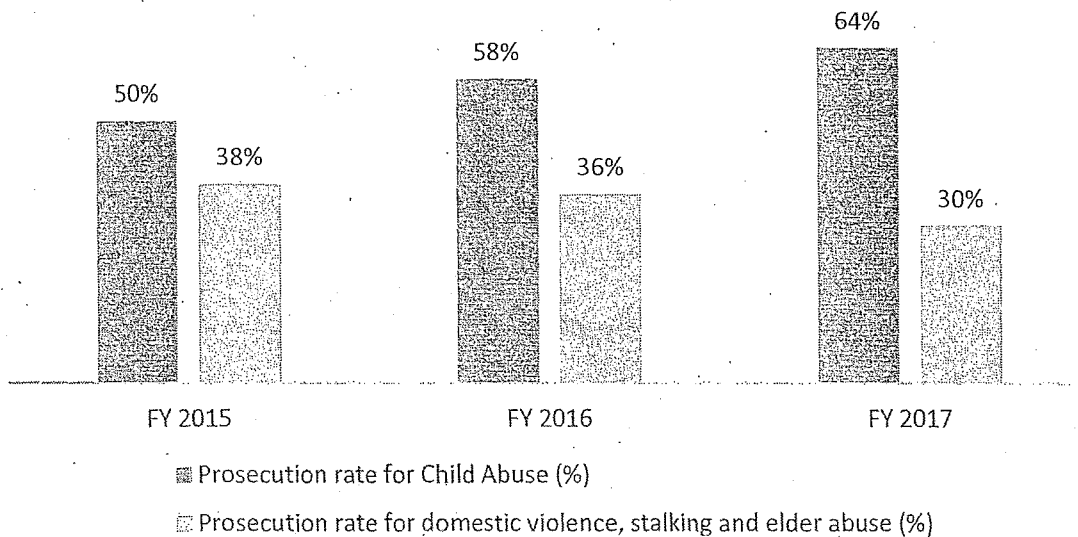
There were 76 prosecutions for child abuse in FY 2017 (Figure 70, below). This marks a reduction in cases of 10%, from 84 in FY 2016. However, because fewer incidents were received, the prosecution *rate* increased by six percentage points in FY 2017, from 58% of incidents received being prosecuted, to 64%.

Figure 70 District Attorney: Cases of Child Abuse Received and Prosecuted, with Prosecution Rate (%), FY 2014 - 2017



This is considerably higher than the prosecution rate for domestic violence, elder abuse and stalking (30%) – a disparity that has increased over the past three years (Figure 71).

Figure 71 District Attorney's Office: Prosecutions Rate for Child Abuse Compared to Domestic Violence, Stalking and Elder Abuse, FY 2015 - 2017



Convictions

In 2017, there were two child abuse cases resolved by trial. Of these, one ended in conviction. This represents an increase from FY 2016, when there were zero cases resolved by trial and therefore zero convictions.

As with domestic violence convictions, it is important to note that these figures only represent cases where defendants faced a jury in court, and do not account for cases where defendants entered a plea or pursued another resolution prior to trial. Only a tiny fraction of the child abuse cases prosecuted end in a trial annually.

What are children experiencing?

Forms of child abuse

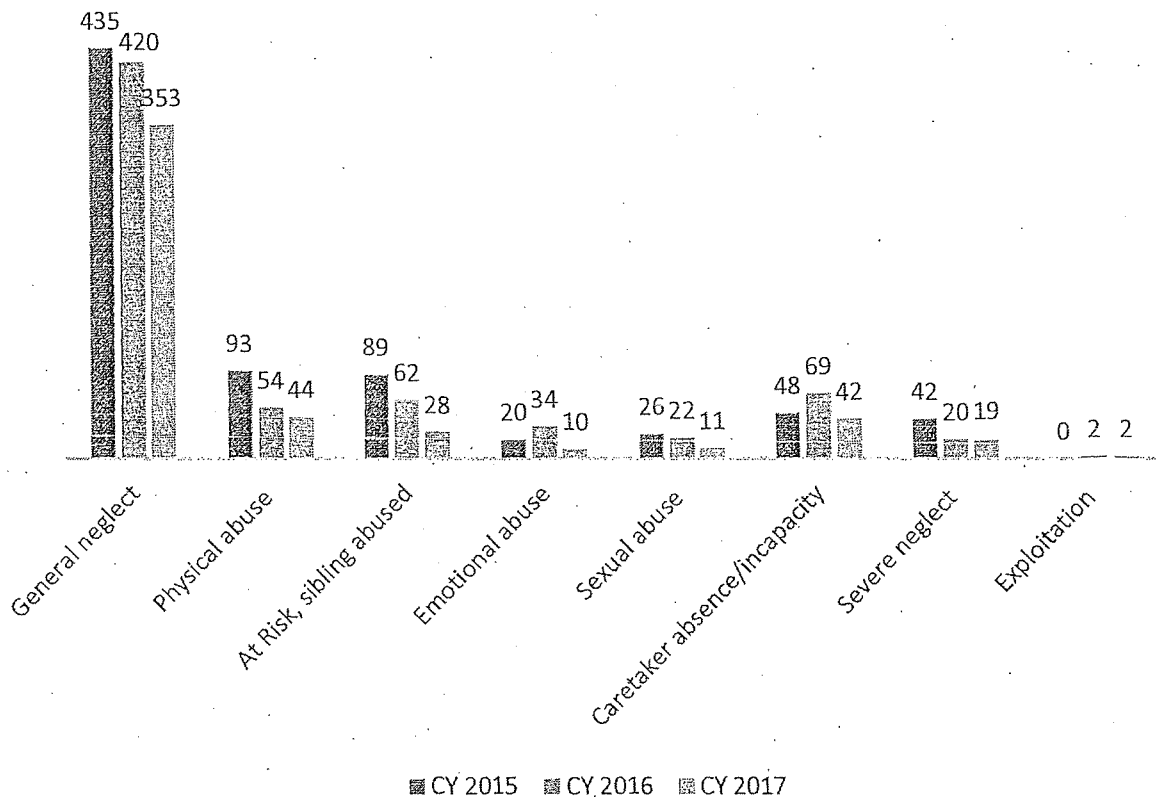
As with previous years, the most common form of substantiated child abuse is general neglect. General neglect is defined as the negligent failure of a person caring for a child to provide adequate food, clothing, shelter, medical care or supervision, where no physical injury to the child has occurred.⁵⁹

Data in Figure 72, taken from the CCWIP, shows that there has been a reduction in all forms of child abuse in CY 2017, except for exploitation, which has remained at the same level. Most forms of abuse have seen a significant drop in substantiated cases since CY 2016, including:

- A 19% reduction in physical abuse cases
- A 39% reduction in caretaker absence/incapacity cases
- A 50% reduction in sexual abuse cases
- A 55% reduction in cases where a child is at risk due to a sibling being abused
- A 71% reduction in emotional abuse cases

⁵⁹ Penal Code Section 11165.2(b)

Figure 72 Family and Children's Services: Substantiated Allegations by Allegation Type, CY 2015 - 2017



In contrast, the levels of severe neglect decreased by just one case. The instances in FY 2015, 2016 and 2017 are much higher than in FY 2014, when there were just 16 severe neglect cases. Severe neglect is defined as the failure of the person caring for the child to protect them from severe malnutrition or medically diagnosed 'failure to thrive', or cases where neglect has led the child to be placed in a situation where their health is endangered, including the intentional failure to provide adequate clothing, food, shelter, or medical care.⁶⁰

Allegation types

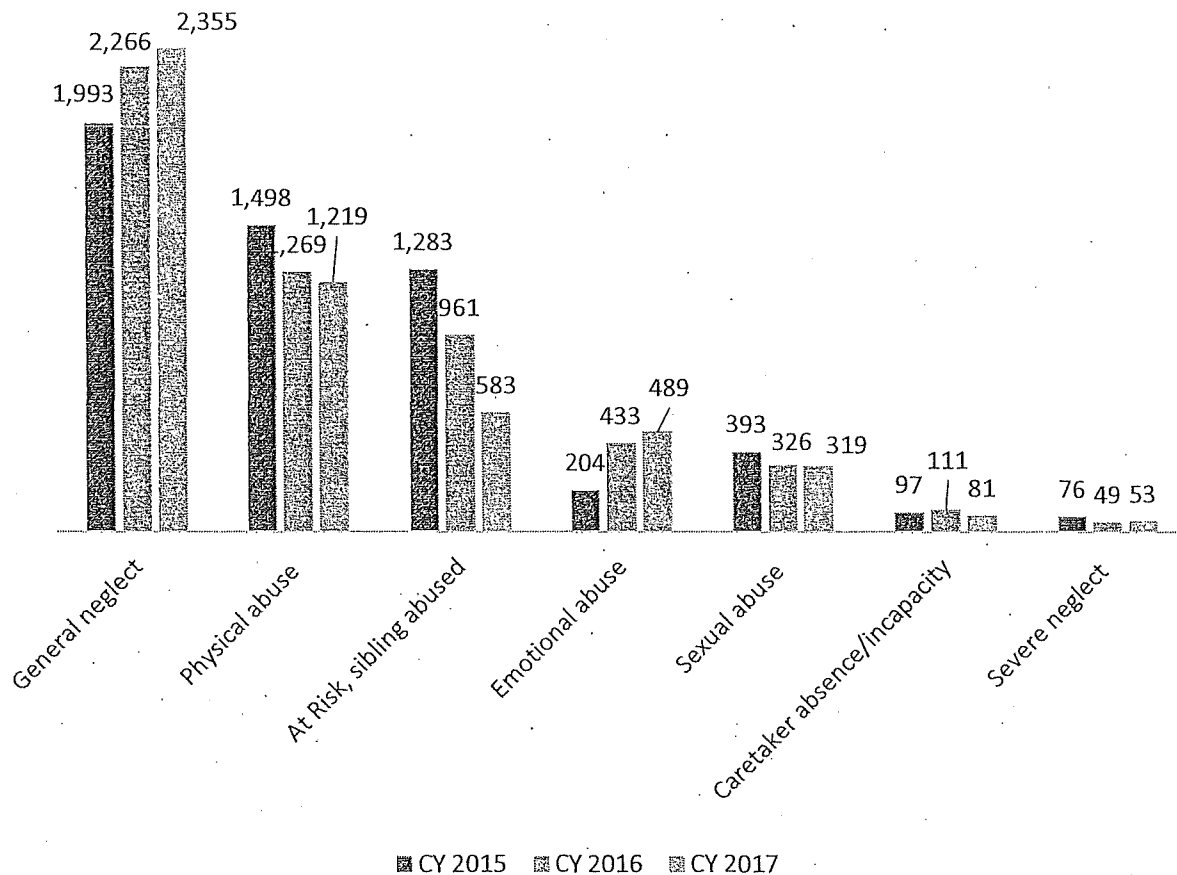
As discussed on page 89, the drop in substantiated allegations in 2017 is not reflected in the number of allegations overall. In some cases, the number of allegations for a particular form of abuse increased compared to previous years (Figure 73, below), while the number of substantiated cases decreased (Figure 72, above).

For example:

⁶⁰ Penal Code Section 11165.3 and 11165.2 (a)

- 489 allegations of emotional abuse were made in 2017, compared to 433 in 2016. Yet just 10 cases were substantiated in 2017 (2% of the allegations) compared to 34 cases (8% of the allegations) in 2016.
- There was a 50% decrease in the number of substantiated sexual abuse cases (22 in 2016 to 11 in 2017), yet the number of allegations reduced by just 2%.
- There was an 88% increase in the number of exploitation allegations (from eight cases in 2016, to 15 cases in 2017), yet the number of substantiated cases remained constant, at two.

Figure 73 Family and Children's Services: Child Abuse Allegations by Type, CY 2015 - 2017



*Only one allegation per child referred is counted. This means that if a child has multiple allegations, only one of these allegations will be counted in this graph. The allegation counted will be categorized by severity. Exploitation has been left off the graph, because the number of cases is too small to calculate a meaningful percentage change.

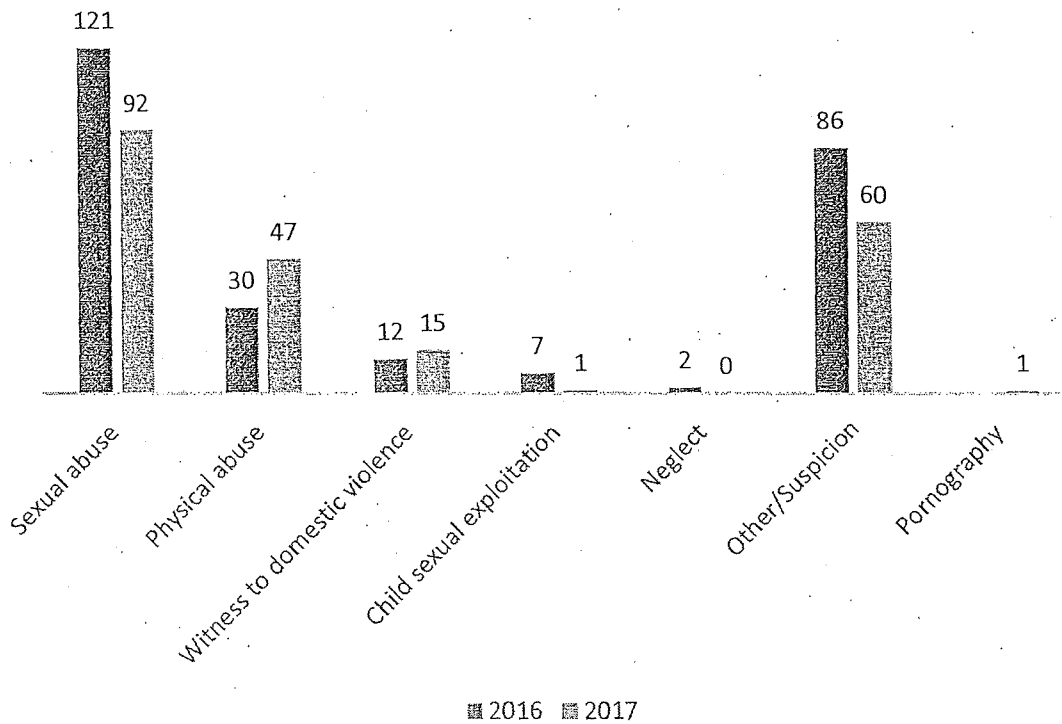
Children's Advocacy Center

Data from the Children's Advocacy Center (CAC) also provides insight on children's experiences of abuse. CAC is a partnership between Safe & Sound and City departments, which provides trauma-informed, child-focused forensic interviews and supportive services to children who have been abused. In FY 2017, the CAC provided coordinated forensic interviews and related support to 216 children and their families. This is a 14% decrease from FY 2016. Since Family and Children's Services has not experienced a similar rate of decline in reports of physical and sexual abuse, Children's Advocacy Center partners have been actively working to improve protocols, training, and practices to ensure that in all cases where a forensic interview is appropriate, children receive this service.

Figure 74 shows that, of the 216 children receiving a forensic interview:

- 43% (92 children) had experienced sexual abuse. This represents a drop of four percentage points compared to the proportion that had experienced sexual abuse in FY 2016 interviews.
- 22% (47 children) had experienced physical abuse, which represents a 10-percentage point increase over FY 2016.
- Only one child had experienced sexual exploitation, compared to seven in FY 2016.

Figure 74 Child Advocacy Center: Type of Abuse Based on Interview, by Number of Children who Experienced It, 2016 - 2017

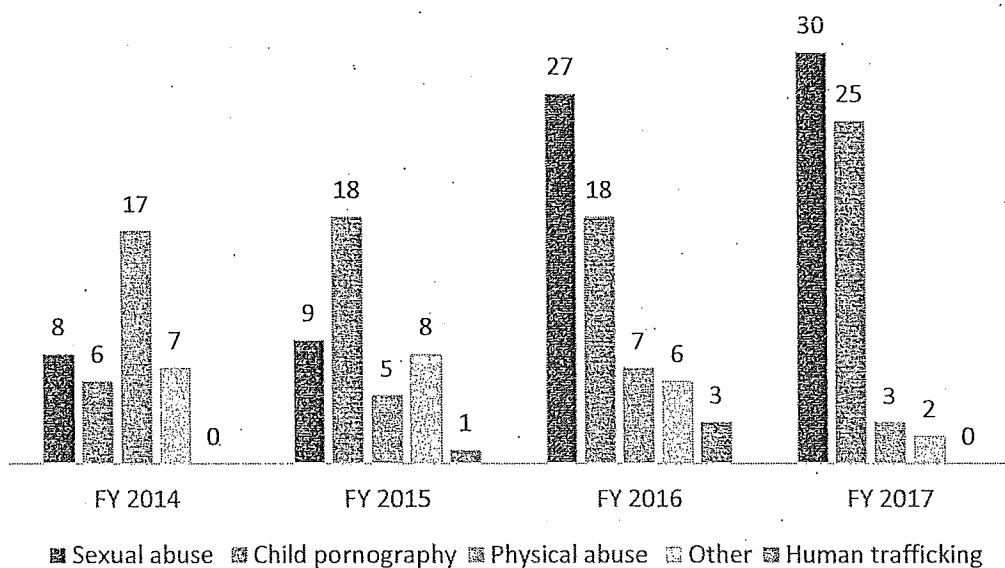


Types of abuse prosecuted

Data from the District Attorney's Office provides insight on prosecutions for different types of child abuse. Figure 75 shows the breakdown of the types of child abuse for which individuals were prosecuted.

In FY 2014, the most commonly prosecuted form of abuse was physical – since then, physical abuse prosecutions have declined by 82%, from 17 in 2014 to three in 2017. In contrast, prosecutions for sexual crimes against children (sexual abuse, child pornography) have increased annually. They now make up 92% of all child abuse prosecutions.

Figure 75 District Attorney's Office: Child Abuse Prosecutions by Crime Type, FY 2014 - 2017



Homicides

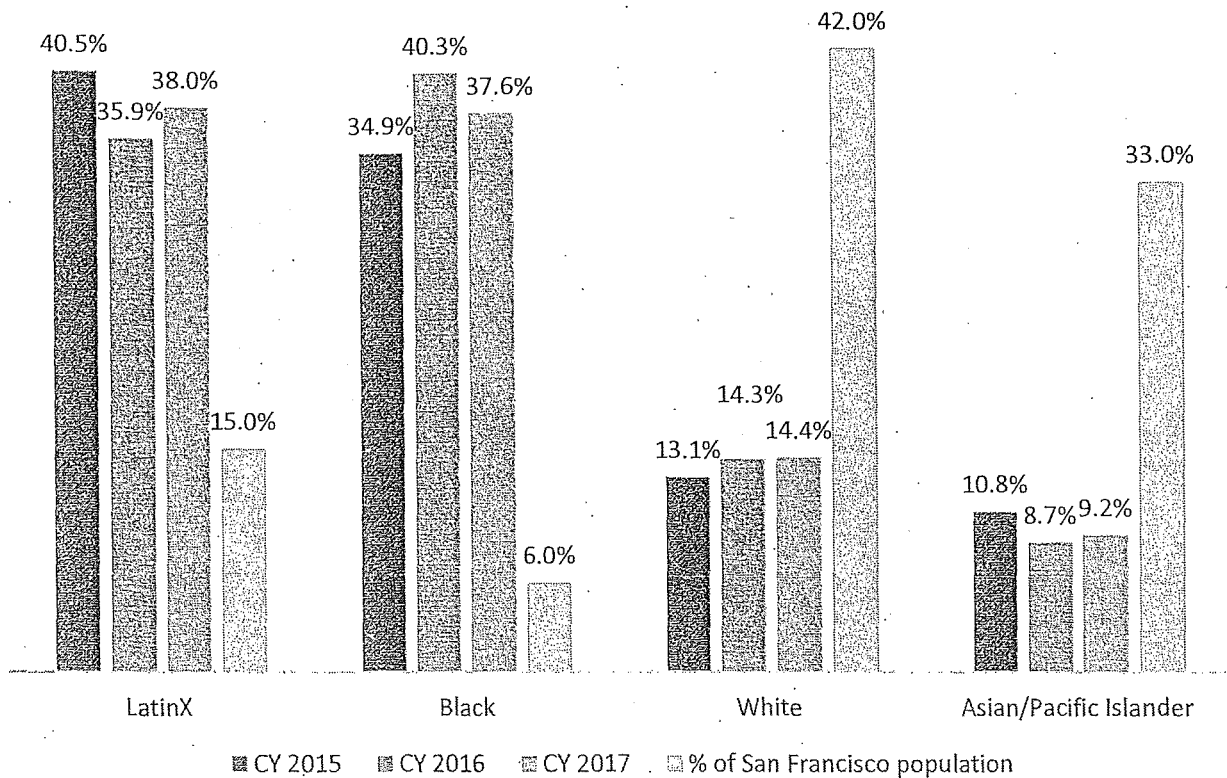
The Child Death Review Team (CDRT), co-chaired by the Department of Public Health and Safe & Sound, facilitates a comprehensive review of all unexpected child deaths reported to the San Francisco Medical Examiner's Office. This coordinated review helps prevent future deaths and improve the health and safety of San Francisco's children, including identification of risk for child abuse. In 2018, the CDRT partners successfully completed a review of child fatalities over the past 12 years since 2005. Its review determined that there was one child fatality as a result of abuse in 2010 and two in 2015. There have been no confirmed cases since that time.

Who is experiencing child abuse?

Ethnicity

There is a clear racial disproportionality when it comes to substantiated cases of child abuse. Figure 76 uses CCWIP data to show the ethnic breakdown of substantiated child abuse cases between CY 2015 – 17. Black and Latinx children are consistently over-represented, compared to the general population of San Francisco. Black children make up between 36 – 40% of the total victims with substantiated allegations of child abuse, despite Black people making up just 6% of San Francisco’s population. Latinx children make up 15% of San Francisco’s population, yet consistently make up 35 – 41% of child abuse victims. In contrast to Latinx and Black children, White children and Asian children are under-represented as victims of child abuse, compared to in the general population.

Figure 76 CCWIP: Race/Ethnicity of Children with Substantiated Allegation of Child Abuse, as a Percentage of Total, Where Race/Ethnicity Known, Compared to San Francisco Population,⁶¹ CY 2015 - 2017



⁶¹ A child is counted only once, in category of highest severity. Population statistics are for entire (adult and child) population of San Francisco.

In police data (Figure 77) there are similar patterns. In 33% of child abuse cases, the victim was Black. In 38% of cases, the victim was Latinx. Of the child abuse victims served by the District Attorney's Victim Services Division (Figure 78) in FY 2017, 49% were Latinx and 21% were Black.

Figure 77 San Francisco Police Department: Race/Ethnicity of Child in Child Abuse Cases, Where Known, FY 2017

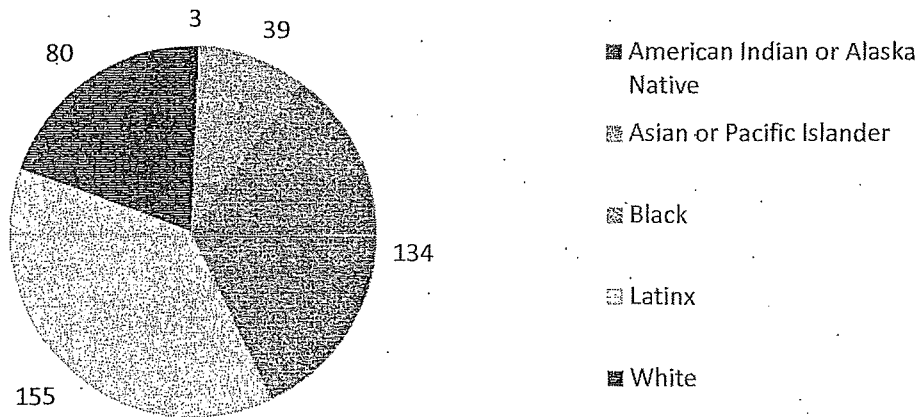


Figure 78 District Attorney Victim Services Division: Number of Child Abuse Victims of Each Race/Ethnicity, Where Known, FY 2017

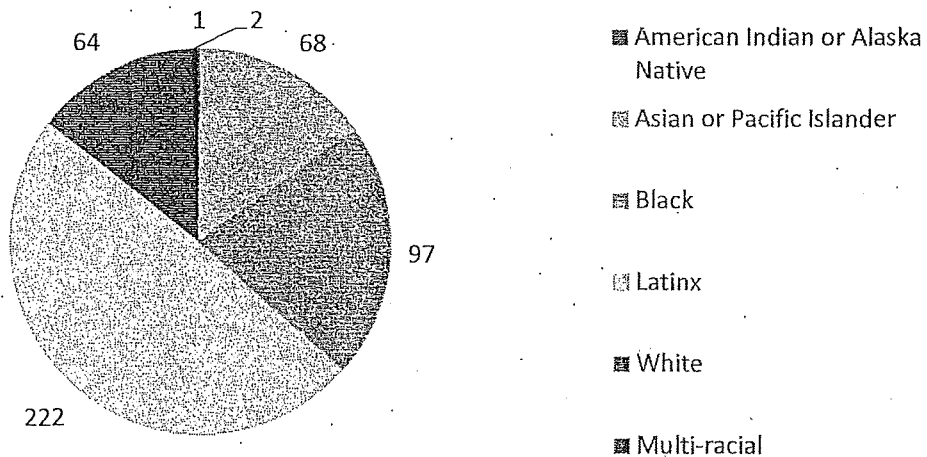
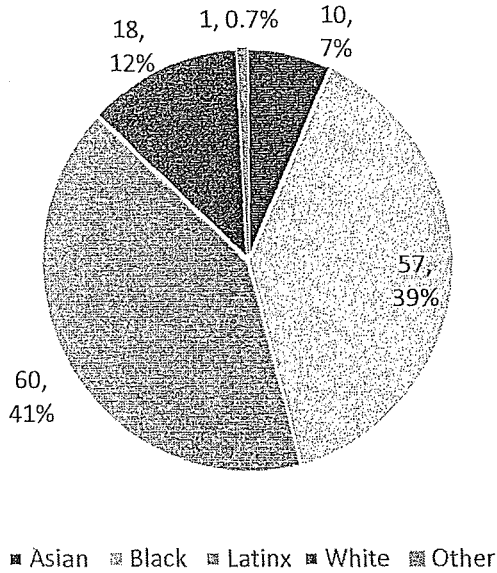


Figure 79 Children's Advocacy Center: Ethnicity of Child Victims, Where Known



Data from the Children’s Advocacy Center also demonstrates this racial disparity. Ninety-seven percent of children in the program, where their ethnicity was known, were children of color, with Black and Latinx children making up 39% and 41% of victims respectively (Figure 79).

However, the starkest illustration of this racial disparity is a comparison of the number or children of each ethnicity, per 1,000, who are abused, as shown Figure 80, below. We know that across all children in San Francisco, the number abused per 1,000 has decreased by 67% in the last fifteen years (see Figure 65, p.82). However, when we disaggregate this data by race, the picture becomes more complicated.

The rate of abuse per thousand children is going down for every ethnic group apart from Native American children – for whom it has continued to increase since CY 2015. In 2017, there has been a particularly steep decline in the number of Black children abused per one thousand. However, Black children remain the group with the highest frequency of abuse. They are also the group that has experienced the smallest reduction in cases per thousand since 2003, from 58.7 to 28. This represents a 52% reduction, compared to a 67% reduction for White children since 2003, and a 74% reduction for Asian children.

It is also useful to compare the racial disparities in child abuse in San Francisco to the state as a whole (see Figure 81.) In both San Francisco and California, Latinx children are disproportionately represented in substantiated child abuse cases compared to in the general population. The same is true for Black children, but the disproportionality is much vaster in San Francisco than in the state at large. Both California and San Francisco have a Black population of around 6%, yet in our city, Black children make up 38% of all children with substantiated allegations of abuse against them, compared to 15% in California.

Figure 80 CCWIP: Number of Children Abused per 1,000 Children in San Francisco, by Ethnicity, CY 2003, and CY 2015 - 2017

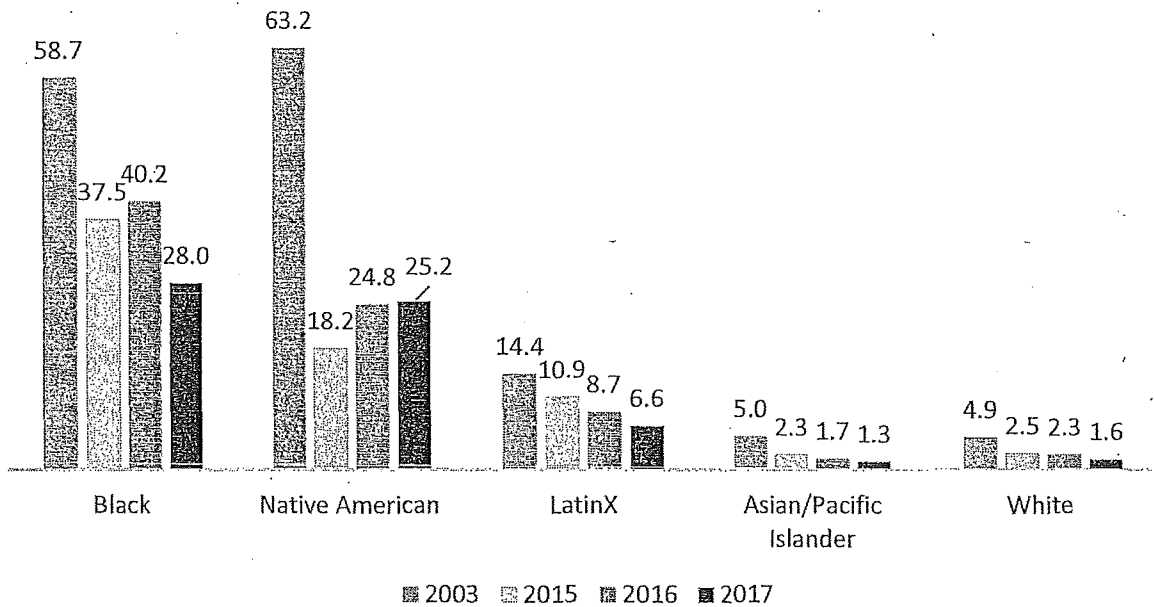
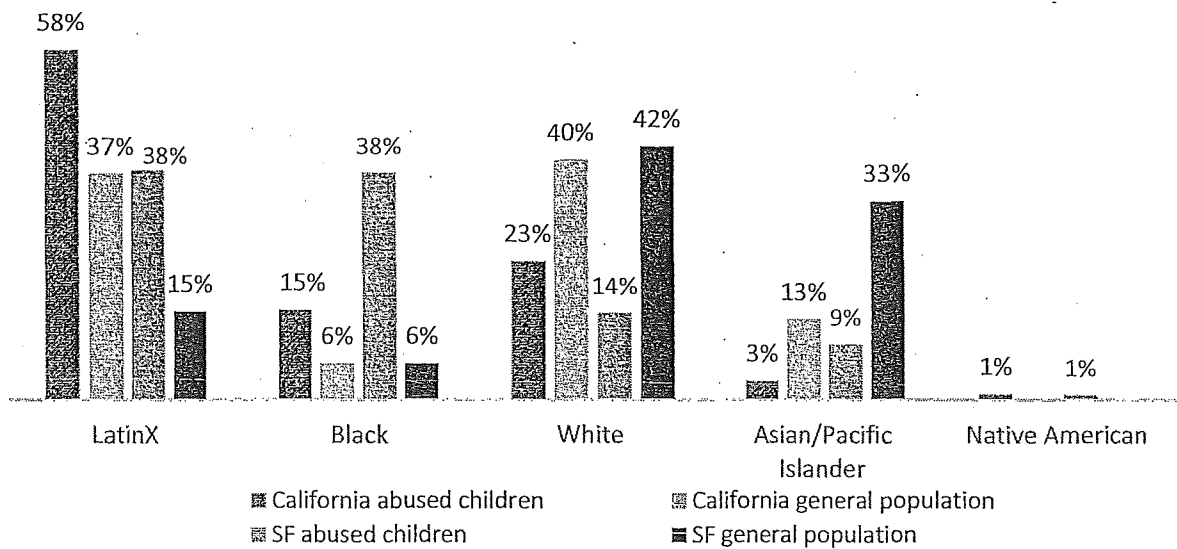


Figure 81 CCWIP: Ethnicity of Children with Allegations of Abuse Against Them Substantiated in San Francisco and California, as a Percentage of Total Children with Substantiated Allegations, Compared to Ethnic Breakdown of General Population, CY 2017



Gender

CCWIP data shows that roughly equal numbers of boys and girls experienced child abuse in San Francisco in CY 2017 (Figure 82). In contrast, data provided by the San Francisco Police Department on the reports of child abuse they received shows that 65% involved female victims (Figure 83).

Figure 82 CCWIP: Gender of Child Abuse Victims,* CY 2017

n = 509

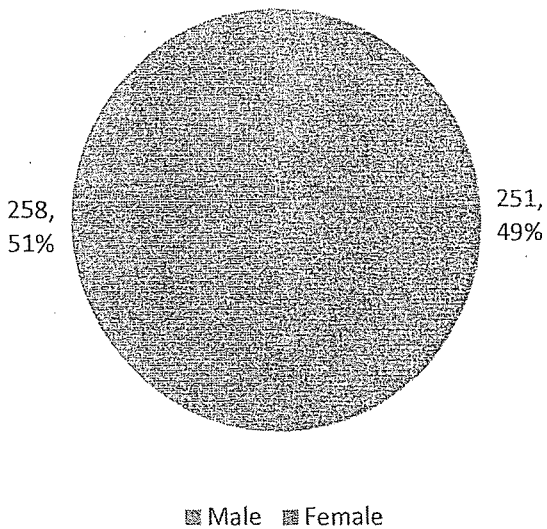
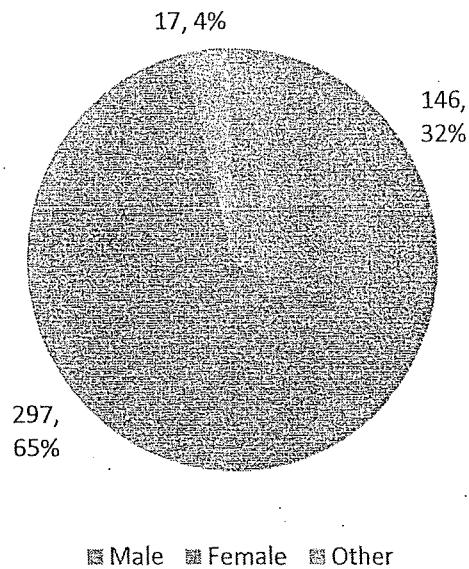


Figure 83 San Francisco Police Department: Child Abuse Cases** by Gender Victims, Where Known

n = 460

FY 2017



*Counting only substantiated allegations of child abuse

** One individual may have more than one case

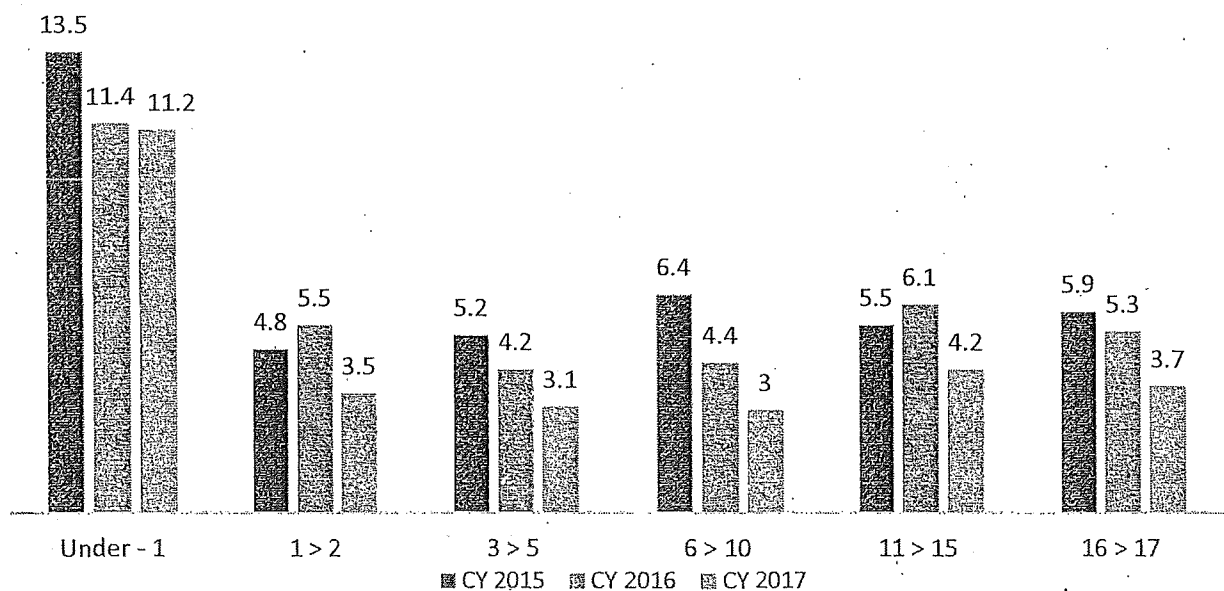
When we consider the ethnicity and age of children who have been abused, interesting patterns emerge. There is an even gender split amongst Black and Latinx children – roughly the same numbers of girls and boys from these ethnic groups have experienced abuse. Yet gender differences are more pronounced amongst White and Asian children who have been abused: the majority of White survivors (56%) were female, and the majority of Asian/Pacific Islander survivors (59%) were male.

CCWIP data also shows a pattern on age and gender. There is little difference between the number of boys and girls who have experienced abuse below the age of three, but between ages three and ten, there are more boys abused than girls. In contrast, survivors aged between 11 and 15 are far more likely to be female.

Age

Overall, babies aged one-year-old or under were the most commonly abused group in FY 2017 (see Figures 85 and 86, next page). They accounted for 27% of all victims. Children aged zero to five-years-old accounted for 47% of victims. In 2017 in San Francisco, 11.2 children in every 1,000 children aged under 1-year-old were abused. This is a 17% reduction on CY 2015, when 13.5 children under 1 were abused for every 1,000 (Figure 84).

Figure 84 CCWIP: Number of Children with Substantiated Child Abuse Allegations in Every 1,000, by Age-Group, CY 2015 - 2017



Do demographic factors impact the type of abuse experienced by children?

The previous section showed how demographic factors impact the likelihood of children experiencing abuse overall. Additionally, data gathered from various agencies suggests that the demographic characteristics of a child – including their sex, age and ethnicity – make a difference to the specific types of abuse they experience, and who their perpetrators are.

Figure 85 CCWIP: Number of Substantiated Allegations by Type of Abuse and Age-Group of Child, Excluding General Neglect, FY 2017

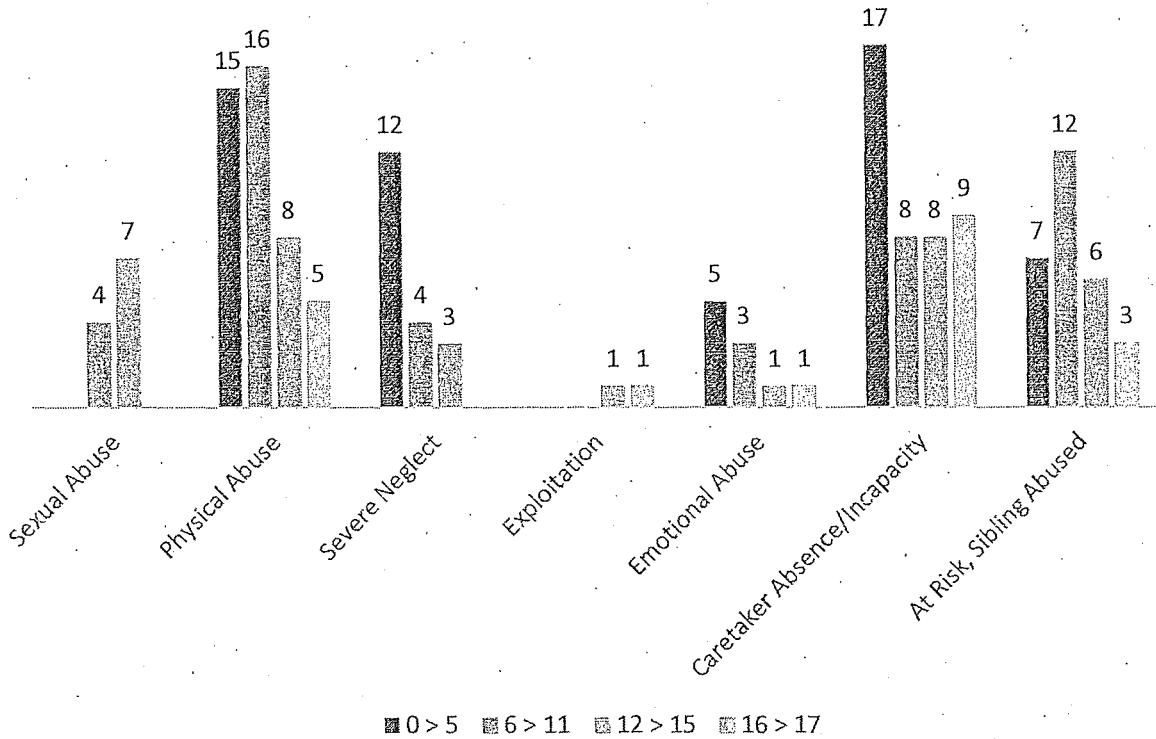
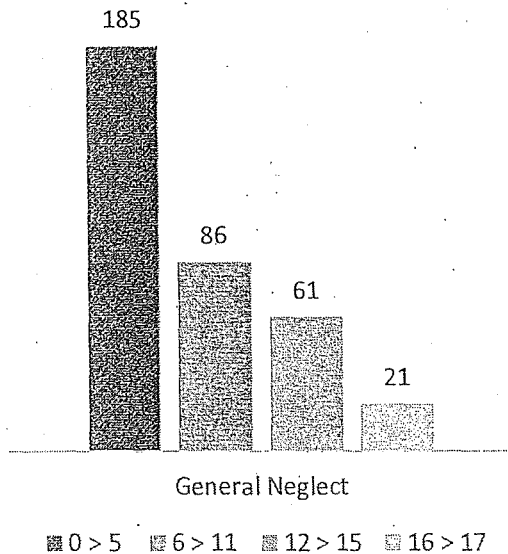


Figure 86 CCWIP: Substantiated Allegations of General Neglect by Child Age, FY 2017



Age

Figures 85 and 86 show younger children are significantly more vulnerable to general neglect than older children. The survivors of general neglect were under five in 52% of all cases, and aged one or under in 31% of cases. Younger children also tend to be more vulnerable to physical abuse – 70% of physical abuse survivors were aged 11 or younger. In contrast, all sexual abuse survivors were aged between six and 15-years-old.

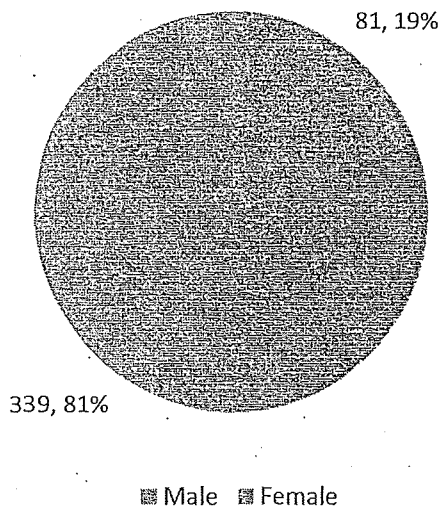
Gender and Race

Data from District Attorney’s Victim Services Division demonstrates that girls are more likely to experience child abuse crimes than boys – 377 girls were served in FY 2017, compared to 100 boys.

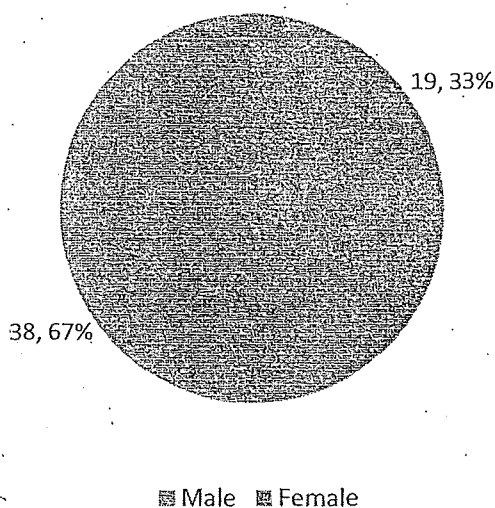
This difference is much starker when it comes to child sexual abuse. Sexual abuse survivors were 4.2

times more likely to be female (Figure 87), and physical abuse survivors were twice as likely to be female (Figure 88) in the District Attorney's data. Similarly, both of survivors of exploitation in CY 2017 were female. This gender disparity is consistent with the pattern seen in FY 2016. However, these figures should not be taken as an indication that girls necessarily experience more child abuse overall than boys, but that certain forms of abuse that girls suffer more can be easier to prosecute. For example, the second most prosecuted child abuse type in FY 2017 was child pornography – a crime predominantly impacting female children, which can be prosecuted without victim involvement. In the District Attorney's data for 2017, all the victims of sexual abuse and exploitation were children of color.

**Figure 87 District Attorney Victim Services Division:
Gender of Child Sexual Abuse Victims, Where
Known,
FY 2017**

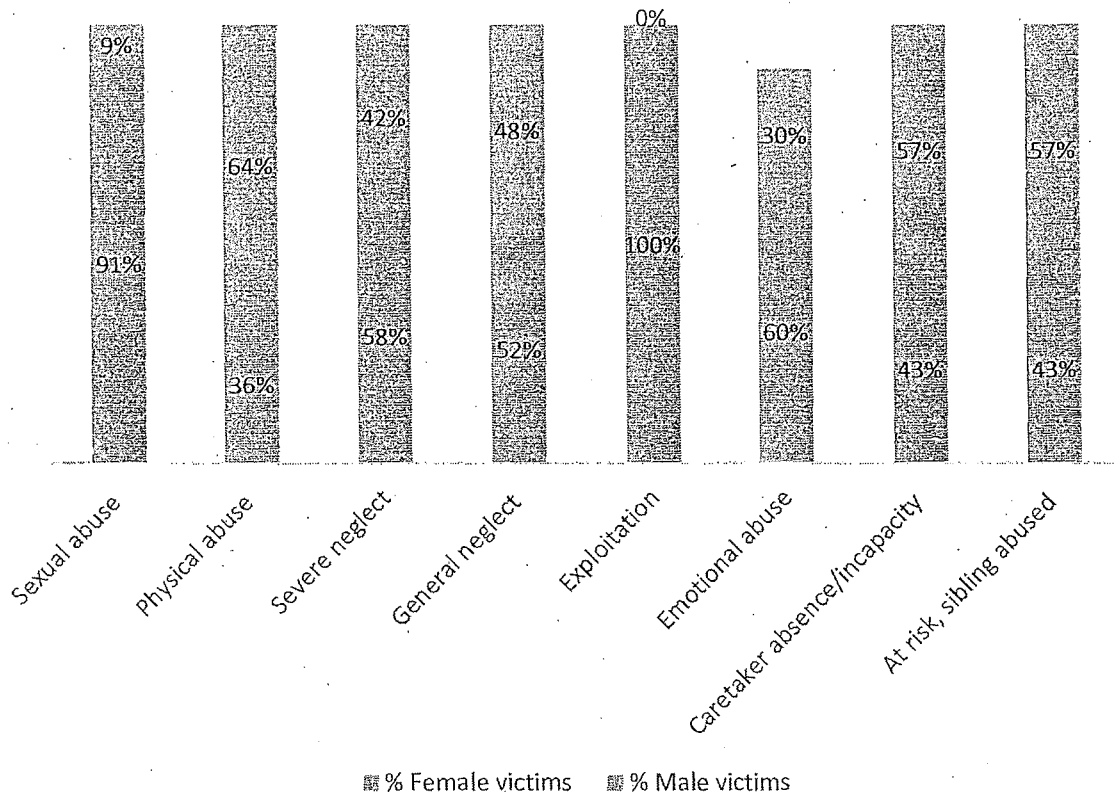


**Figure 88 District Attorney Victim Services Division:
Gender of Child Physical Abuse
Victims,
FY 2017**



For all substantiated cases in San Francisco – not just those dealt with the District Attorney – the overall gender distribution is even, yet the pattern on sexual abuse remains. Figure 89, below, breaks down CCWIP data on the different forms of abuse by the gender of the child. It shows that 91% of all substantiated sexual abuse cases involved a female victim.

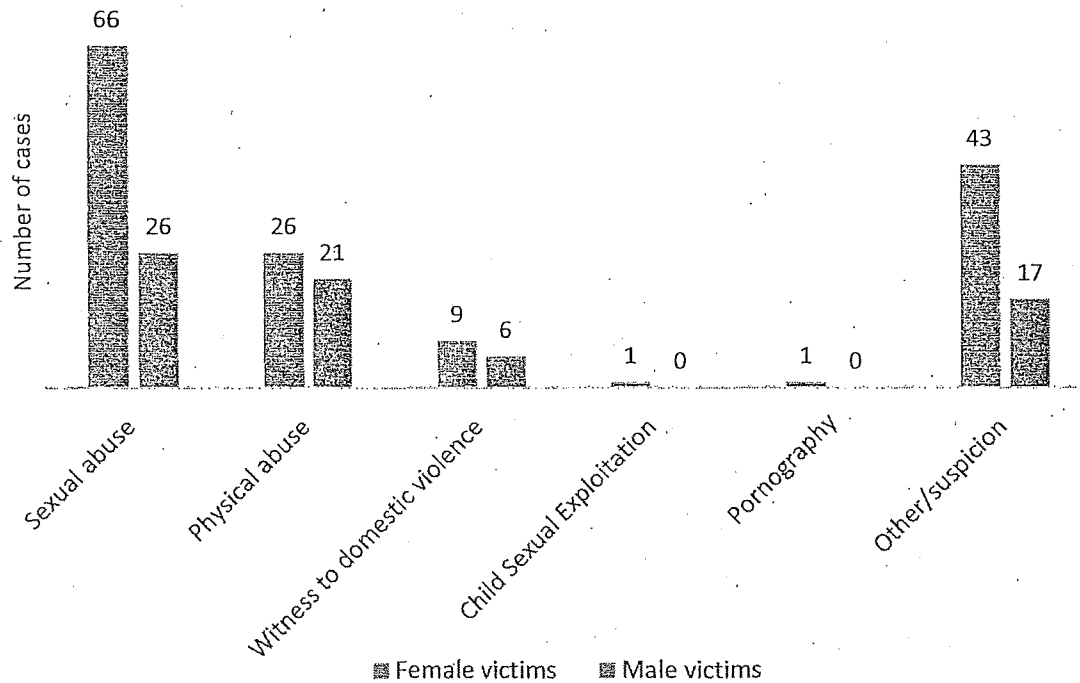
Figure 89 CCWIP: Type of Substantiated Child Abuse by Gender of Child, FY 2017



This is the first time this report has extracted and presented demographic data from the CCWIP, which aggregates information from Family and Children’s Services. Using its analysis to look at previous years, we can see the pattern with respect to the demographics of the children that experienced sexual abuse is reflected time and time again: girls and particularly girls of color are far more likely to experience sexual abuse. Since 2014, 98% of all victims of sexual abuse were children of color. Eighty-one percent of all victims of sexual abuse were female children of color.

Data collected from forensic interviews conducted by the Children’s Advocacy Center also reflects the gender disparity related to sexual abuse. Figure 90, below, shows that more girls than boys were interviewed for all forms of abuse. The gender disparity is most obvious within sexual abuse, where 72% of all children receiving a forensic interview were girls.

Figure 90 Children's Advocacy Center: Abuse Type by Gender, FY 2017

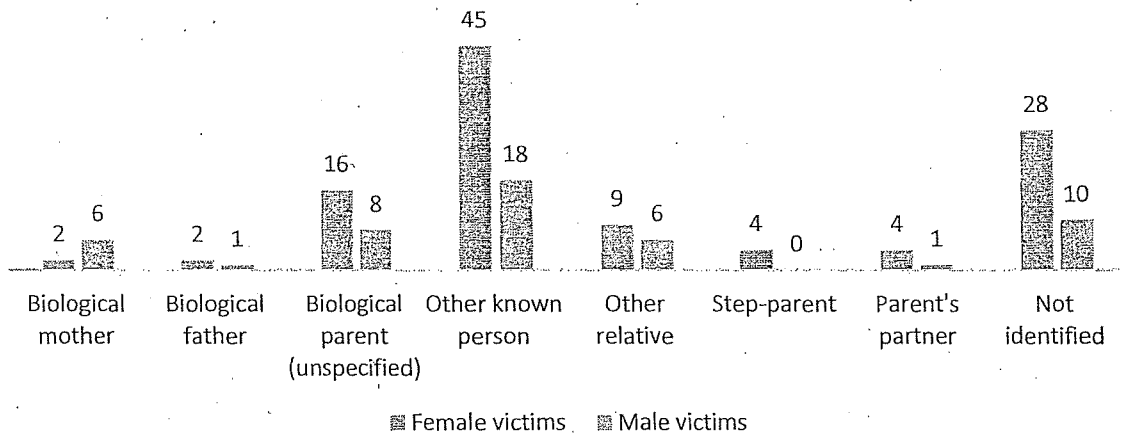


Offenders

A child's demographic characteristics also appear to have a bearing on who abused them. Data provided by Family and Children's Services (Figure 91) shows that boys were more than twice as likely as girls to have an allegation of abuse involving them substantiated where the perpetrator was of no relation to them. Girls were more than twice as likely as boys to have a substantiated allegation of abuse by a relative other than a parent or grandparent. In addition:

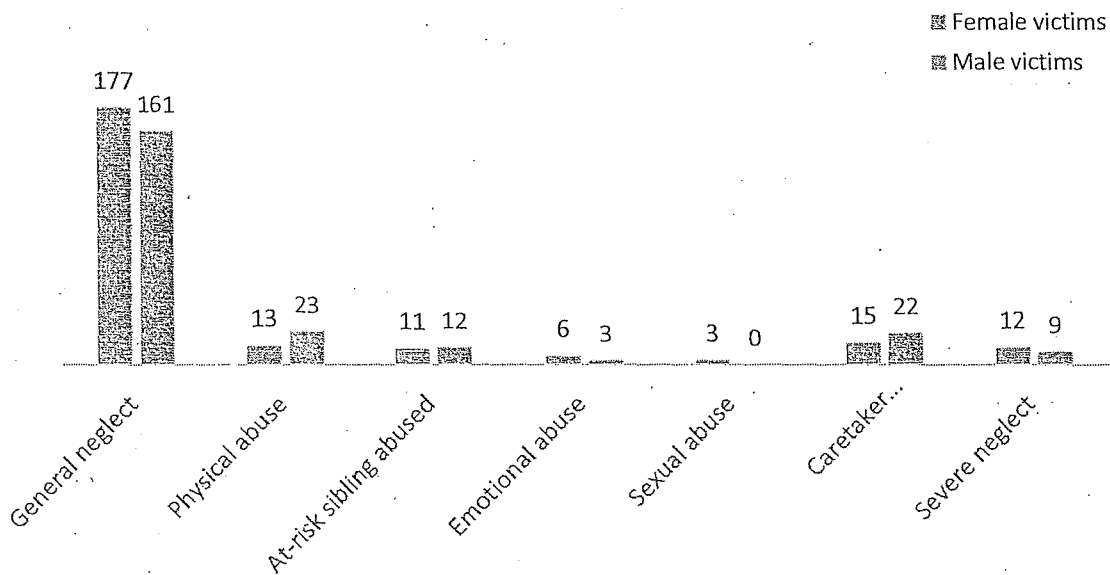
- Girls were twice as likely as boys to have been abused by a biological parent
- Girls were eight times more likely than boys to have been abused by a parent's partner or step-parent
- Most boys were abused by "another known person"

Figure 91 Family and Children's Services: Suspects Relationship to Child,⁶² FY 2017



Family and Children's Services data (Figure 92, below), demonstrates that in cases of substantiated allegations of abuse by parents, there were zero boys with substantiated cases of sexual abuse at the hands of their parents, compared to three girls. In contrast, boys were almost twice as likely to have substantiated allegations of physical abuse from a parent, compared to their female peers.

Figure 92 Family and Children's Services: Substantiated Cases of Abuse by Parents, by Type of Abuse, FY 2017



⁶² Includes only cases where child has disclosed abuse in interview

What support is there for families?

Support after the abuse

District Attorney Victims Services

In FY 2017, the District Attorney's Victim Services Division supported 172 child witnesses of domestic violence – a 61% increase over last year. They also provided services to 482 individuals who had experienced child abuse, including adults who had experienced physical abuse or sexual assault when they were children. This represents a 79% increase over FY 2016.

Support before the abuse

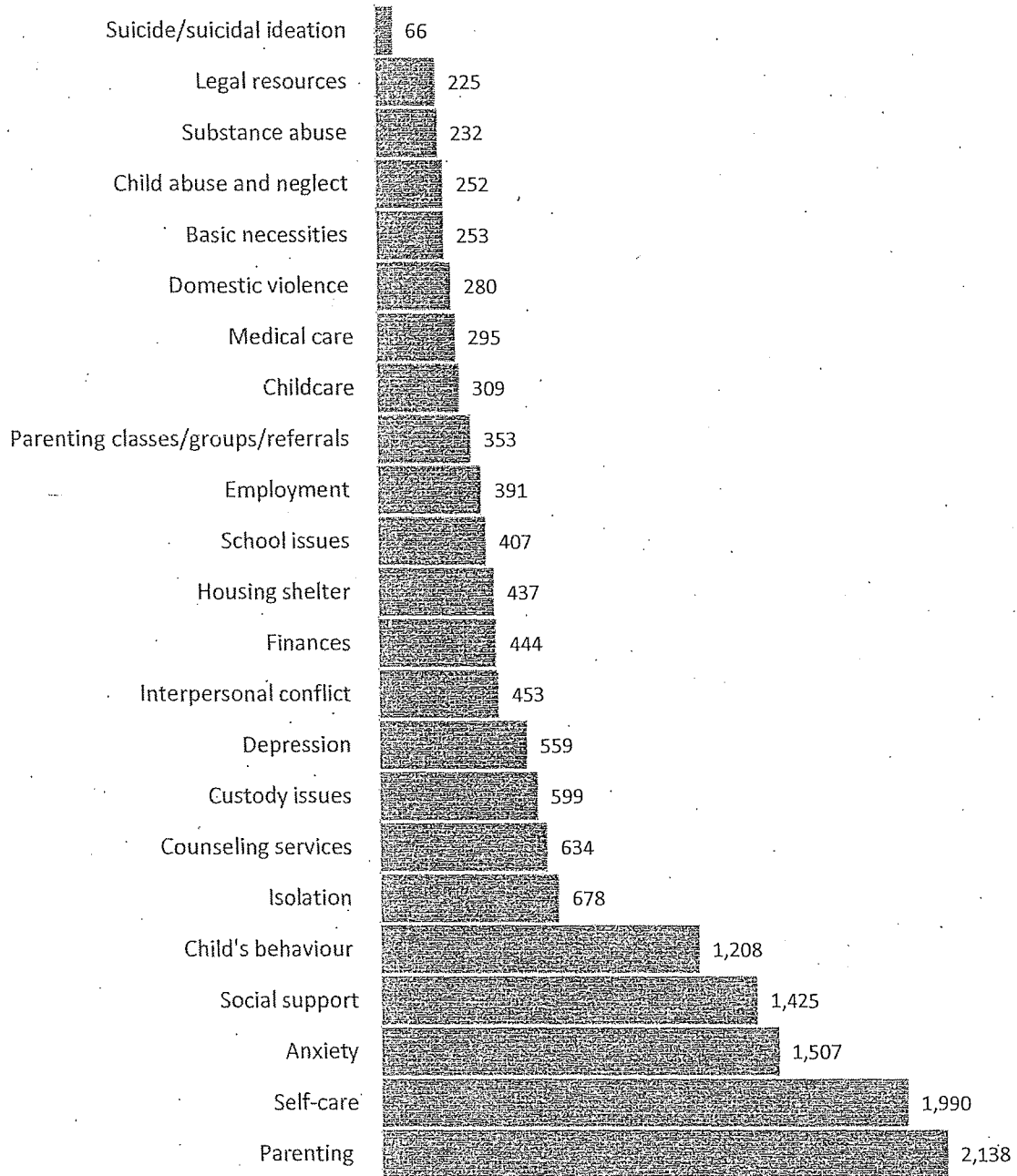
Building resilient families, preventing abuse

Children in the District Attorney's Victim Services Division have already been victims of crime. Similarly, children fleeing to an emergency shelter have likely already witnessed the abuse of a parent, or experienced abuse themselves. Many services provided in the community focus on preventing child abuse before it happens, by mitigating risk factors and increasing protective factors (see page 111).

TALK Line Parental Support

The TALK Line, operated by Safe & Sound, provides 24/7 telephone support and crisis counseling to parents and caregivers. In FY 2017, the TALKLine handled 12,285 incoming and outgoing parenting support and crisis calls, a slight increase (0.5%) on the previous year. Parents call for support on a wide range of topics, as demonstrated by Figure 93. While some callers focus on a single concern, others cover multiple topics during the course of the conversation.

Figure 93 TALKLine: Number of Times Different Issues Discussed, FY 2017



Many of the concerns shared on the TALK Line reflect risk factors for child abuse. For example, 280 calls featured concerns around domestic violence; 444 included concerns around finances; and 1,661 included concerns about a child's behavior or interpersonal conflict, suggesting parent-child relationships under stress. A relatively small number (252) involved child abuse that had already happened. By listening to parents, and counseling them through these difficulties, the TALK Line staff and volunteers work to prevent child abuse before it occurs.

Family Resource Centers

Since 2009, San Francisco has benefitted from the Family Resource Center Initiative (FRCI) - a system of linguistically and culturally diverse Family Resource Centers where children and families can access local, family-focused, and strength-based services critical to their wellbeing. The FRCI serves both particular neighborhoods and targeted populations of families, for example, homeless families or pregnant or parenting teens.

Positive Parenting Program

A core service of Family Resource Centers parenting education, including the effective, evidence-based Positive Parenting Program (Triple P). Triple P provides a minimum of eight sequential training sessions for a group of parents and caregivers. Minimum participation standards are set for families to graduate from the course. Parents who enroll and graduate from Triple P show improvement in parenting abilities. For example, parents enrolled in Safe & Sound's Triple P classes showed an overall decrease in problematic parenting - including over-reactivity and laxness - which may

Risk factors for child abuse

Risk Factors for Parents / Caregivers:

- Lack of understanding about children's needs, child development, and parenting skills
- History of abuse in the family
- Substance abuse or mental health issues
- Low levels of education
- Large number of dependent children
- Financial challenges or difficulties
- Thoughts and emotions supporting abusive behaviors

Risk Factors for Families

- Social isolation
- Family disorganization, dissolution, and violence (including intimate partner violence)
- Parenting stress, including those associated with young, transient, or unsupported caregivers
- Poor parent-child relationships and negative interactions

Protective factors for child abuse

When families have strong protective factors, they are able to practice positive parenting skills, meet family needs, and address life's challenges.

Protective factors are:

- Social and Emotional Competence of Children
- Knowledge of Child Development
- Parental Resilience
- Social Connections
- Concrete Support in Times of Need

For more information on the risk factors and protective factors for child abuse; see Appendix X.

(Source: Centers for Disease Control and Prevention)

progress over time to acts of physical abuse or neglect.

Integrated Family Services (IFS)

Safe & Sound launched Integrated Family Services (IFS) in 2014 to provide a two-generation, data-informed approach to preventing child abuse in families in situations that place them at high risk of abuse. Research has shown that families with strong Protective Factors (see previous page) have a significantly reduced risk for child abuse, so IFS provides intensive case management that tailors services to help families strengthen these factors. Since its 2014 inception, IFS has served 442 parents and children in 305 families. In FY 2017, 31 families were enrolled in IFS:

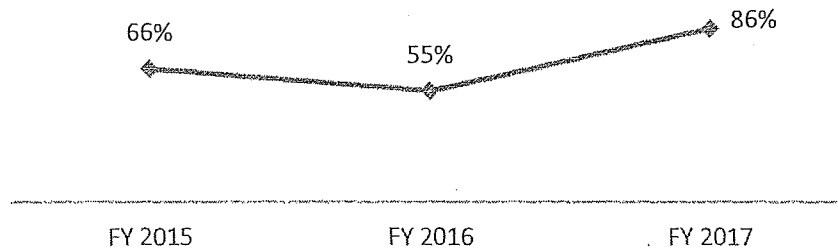
- 93% had least one Adverse Childhood Experience (ACE) relating to child abuse or domestic violence, and 47% of families had three or more ACEs.
- Of families enrolled for at least six months, more than 80% demonstrated improvements in at least one protective factor.

SafeStart

SafeStart is a citywide collaborative of Safe & Sound, APA Family Support Services, Instituto Familiar de la Raza, and OMI Family Resource Center. Together, the collaborative partners with the Domestic Violence Consortium, the San Francisco Police Department's Special Victims Unit and the Family Court to reduce the incidence and impact of exposure to violence, in the community and the home, on children under age six. During FY 2017:

- 269 families received support to reduce the impact of children's exposure to violence through intensive case management, trainings, workshops, and other supportive services.
- 86% of families enrolled in SafeStart showed improvements in their protective factors

Figure 94 Safe Start: Percentage of Families Who Experienced Improvement in Overall Protective Factors, FY 2015 - 2017



Safety Lessons for Children

Although child safety is the mandate of parents, caregivers, and other adults, Safe & Sound believes it is essential to educate children to be aware of risks to their safety, and to speak up if they encounter them. Each year, Safe & Sound teaches personal safety skills, directed at preventing abuse, to school children in grades K-5. Safe & Sound focuses its education programming on elementary schools that have higher percentages of vulnerable children and families. In FY 2017, a total of 8,247 school children received safety lessons – a 14% increase over FY 2016. When asked for feedback, 99.5% of teachers responded “agree”, or “strongly agree”, to the statement ‘students were given the tools to keep themselves safe’, a 3.5 percentage point improvement over last year.

Healthcare services

The University of California’s Child Trauma Research Program (CTRP) – which serves families at Zuckerberg San Francisco General Hospital and Trauma Center (ZSFGH) and at community centers throughout San Francisco – supports young children who have been exposed to a broad range of traumas, by providing intensive mental health services. These traumas go beyond the forms of child abuse and maltreatment recorded in Child Protective Services data, but many of the traumas are risk factors for child abuse. For example, a child may be referred to the CTRP because they have been separated from their primary caregiver. In FY 2017, CTRP served 174 children aged from zero to five years. One hundred and fourteen of the families served were referred in FY 2016 or prior fiscal years, but continued to receive services in FY 2017.

Figure 95 Child Trauma Research Program: Primary Type of Trauma Experienced by Children, FY 2015 - 2017

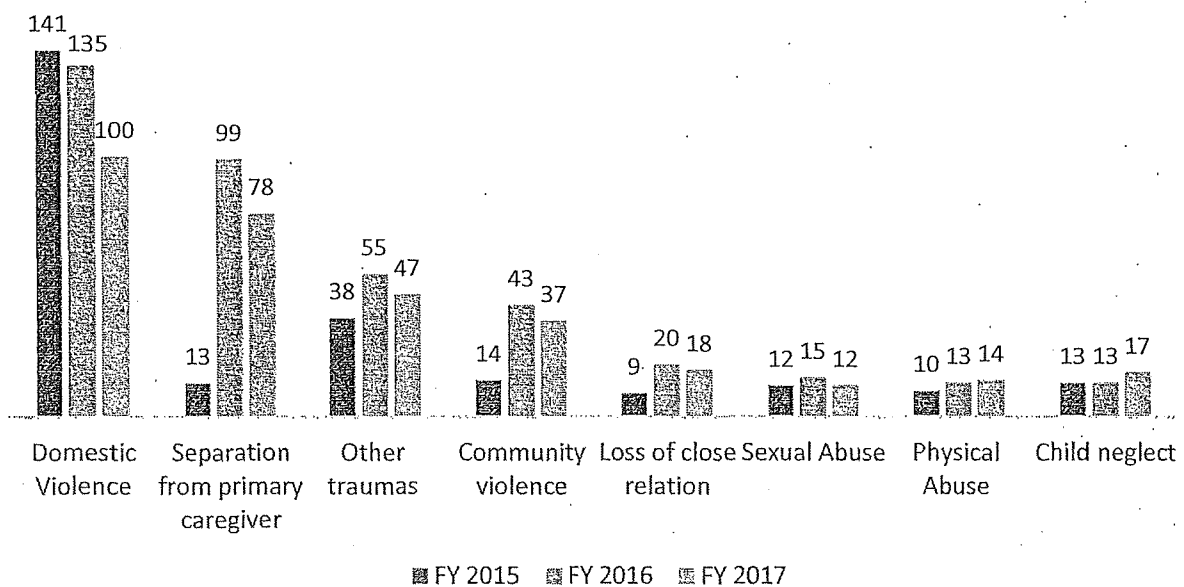


Figure 95 shows that the most common form of trauma endured by children in the CTRP is domestic violence. Family disorganization, dissolution, and violence – including intimate partner violence – is a risk factor for child abuse, and exposure to domestic violence may, in and of itself, rise to the level of child abuse.

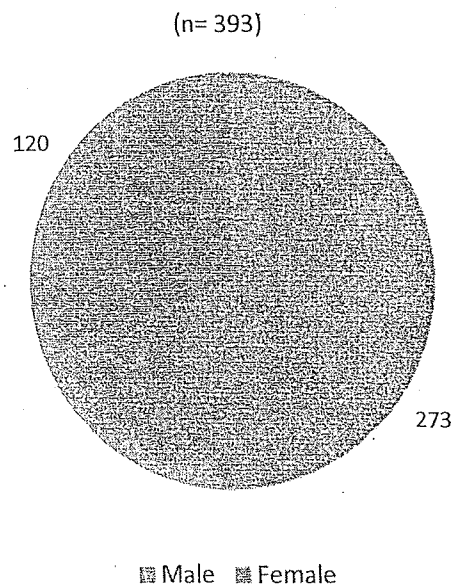
Compared to FY 2016, the percentage of children who had experienced domestic violence, separation from a primary caregiver, loss of a close relation or sexual abuse as one of their primary traumas has remained roughly constant. However, in FY 2017, a higher proportion had experienced physical abuse (6% in FY 2016 increasing to 8.4% in FY 2017), child neglect (6% in FY 2016 increasing to 10% in FY 2017) and community violence (19% in FY 2016 increasing to 22% in FY 2017).

Who are the offenders?

Gender

Data from the San Francisco Police Department (Figure 96) shows that, in keeping with other forms of family violence, those suspected of child abuse are far more likely to be male than female. However, compared to domestic violence (where, in cases where their gender was known, 81% of police suspects were male), the gender divide for child abuse suspects is less stark. Women made up 31% of child abuse suspects, compared to just 19% of domestic violence suspects. Data on offenders in Adult Probation’s endangered child caseload also reflects this – these probationers were 82% male, compared to 93% of probationers in the domestic violence caseload.

Figure 96 San Francisco Police Department: Child Abuse Suspects by Gender, Where Known, FY 2017

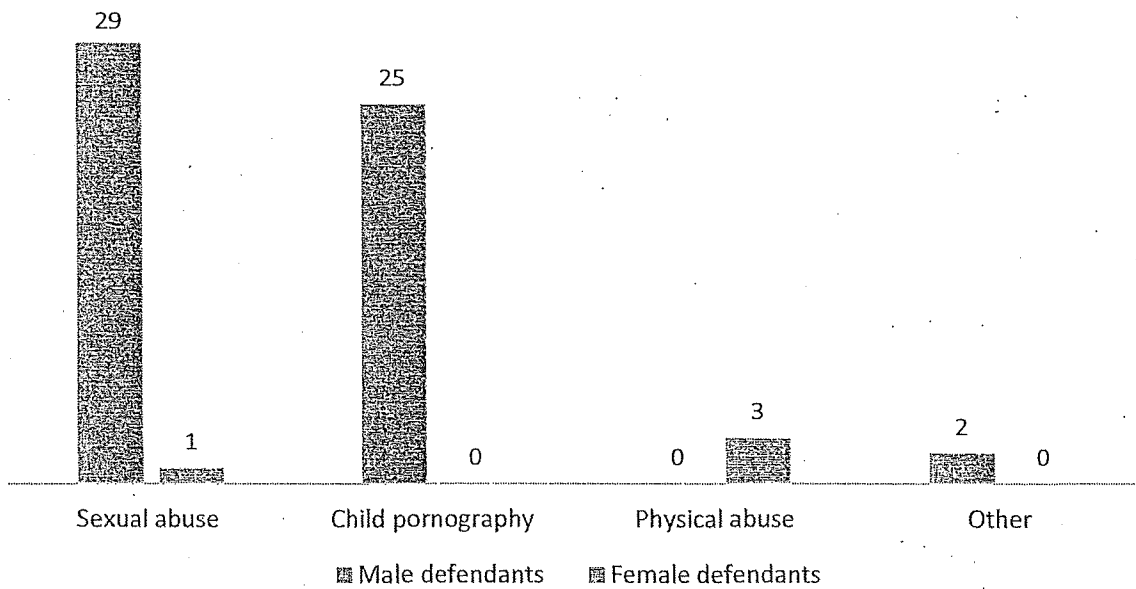


93%

of child abuse prosecutions were of male offenders for sex crimes

For the first time, we have requested information on the gender of defendants from the District Attorney's Office. This has revealed that in FY 2017, all but three prosecutions for child abuse were male defendants for sex crimes (93%). See Figure 97. Forty-eight percent of these prosecutions were men prosecuted for sexual abuse; 42% were men prosecuted for child pornography. In contrast, the only individuals prosecuted for physical child abuse (3) were women. There was also one woman prosecuted for child sexual abuse.

Figure 97 District Attorney: Child Abuse Prosecutions by Crime Type and Gender, FY 2017



Ethnicity

Law enforcement has not provided data on the ethnicity of family violence suspects. Nevertheless, the Children's Advocacy Center can provide insight on this question for the small segment of cases with which they support (Figure 98).

The Adult Probation data (Figure 99) offers an even smaller sample, with the consistent pattern being that Black individuals are over-represented – they make up 41% of alleged perpetrators in the Child Advocacy Center data, and 34% of probationers. The proportion of white probationers (36%) is much higher than the proportion of alleged perpetrators in Figure 98 (11%).

Figure 98 Child Advocacy Center: Ethnicity of Alleged Perpetrators, Where Known, FY 2017
(n = 116)

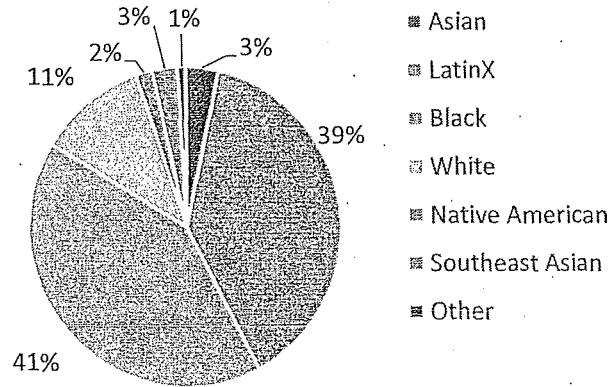
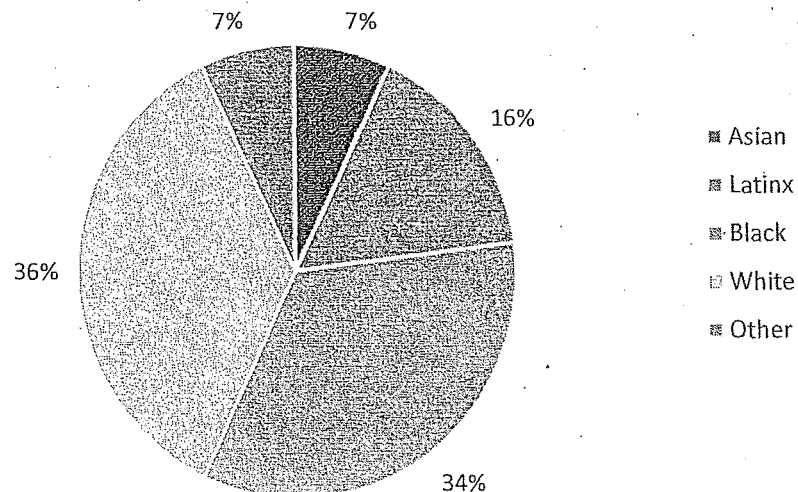


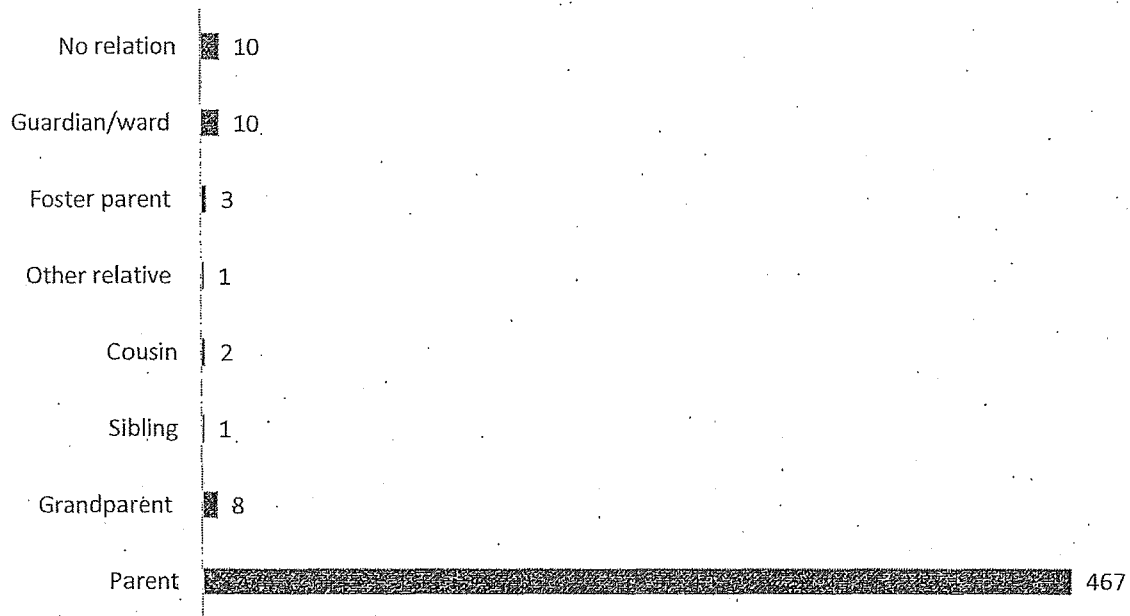
Figure 99 Adult Probation Endangered Children Caseload: Ethnicity of Probationers, FY 2017
(n = 15)



Relationship to victim

In 93% of cases dealt with by Family and Children's Services, the alleged offenders were parents (Figure 100, below). However, it should be noted that Family and Children's Services only count one alleged offender per child (even if there are multiple offenders) and if a parent offender is present, they are always the one counted.

Figure 100 Family and Children's Services:⁶³ Substantiated Allegations by Alleged Offender Relationship to Child, FY 2017

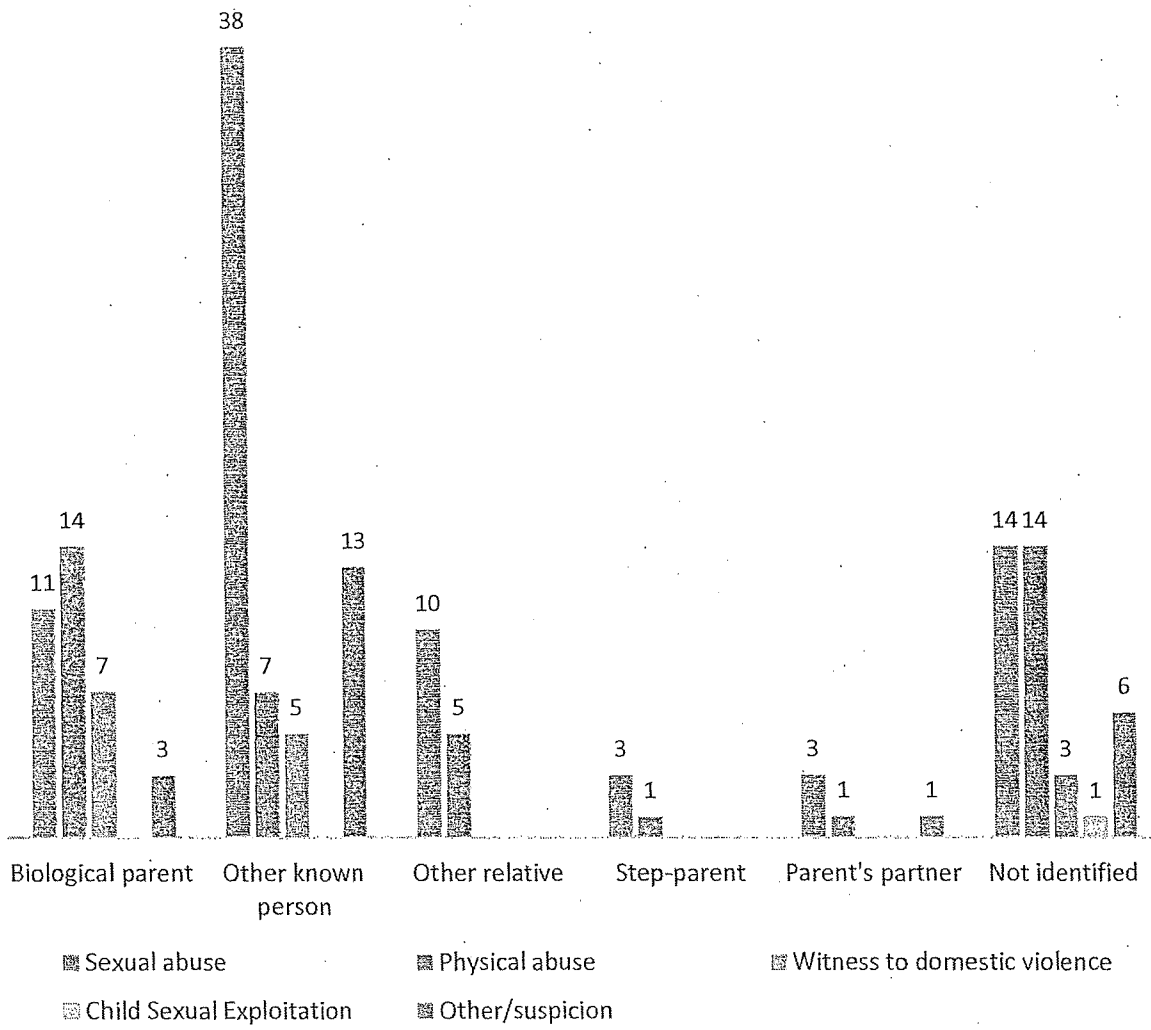


For the first time, this report also includes data from the Child Advocacy Center on the abuse types and the relationship between victim and alleged offender (Figure 101).

- Sexual abuse was most commonly committed by somebody known to the victim who was not a parent or other relative; this was the case in 58% of the forensic interviews where the offender was identified. In 22% of cases, the offender was a parent or step parent, and in a further three cases, it was a parent's partner.
- Biological parents were the most common offenders of physical abuse, accounting for 50% of offenders where the offender was known. 25% of offenders were 'other known persons.'

⁶³ These data do not match data from the California Child Welfare Indicators Project because they have been put together internally by Family and Children's Services, without the 'cleaning' techniques available to UC Berkeley and the CCWIP.

Figure 101 Children's Advocacy Center: Type of Abuses Based on Interview, by Relationship Between Child and Alleged Abuser⁶⁴



⁶⁴ Interviews with disclosures only

What support is available for offenders?

Adult Probation

The Adult Probation Domestic Violence Unit supervises a caseload specific to child abuse offenders. As of the end of FY 2017, 15 clients were supervised on the child abuse caseload, a decrease from FY 2016. Of the 15 cases, seven are misdemeanors and eight are felony cases. Individuals on the child abuse caseload are directed to the Child Abuse Intervention Program (CAIP), a 52-week program facilitated by the Department of Public Health at the Community Justice Center, through the Violence Intervention Program.

The Child Abuse Intervention Program

The Child Abuse Intervention Program (CAIP) is a treatment program designed in accordance with the California Penal Code as a condition of probation for those convicted of a child abuse offense. Clients are mandated by law to complete a minimum of 52 sessions of counseling, in a group setting, focusing on assisting clients to take responsibility for their child abuse offenses. Following Adult Probation Department referral, clients undergo an initial screening to determine suitability and a full psychosocial evaluation, which in most cases establishes medical necessity for treatment. The program includes teaching clients about child abuse prevention methods; anger, violence, and behavioral health treatment; child development and parenting education; substance use treatment linkage; psychiatric medication services; and case management. The membership of the group is fluid: clients graduate, withdraw, and join throughout the year.

The Child Abuse Intervention Program (CAIP) offered services to nine clients in FY 2017. Of those nine clients, two graduated from the program. Seven individuals were enrolled by the end of FY 2017. Criminal charges included the following: child endangerment, corporal injury, child abduction, and endangerment in the context of a DUI. In some of the cases involving endangerment and corporal injury, there were additional charges of child abuse or cruelty to child.

Chapter 3: Elder Abuse



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Key findings

Levels of abuse

- Substantiations of Dependent Adult abuse account for the increases in overall Adult Protective Services (APS) cases – there was an **18% increase in substantiated cases of Dependent Adult abuse**. Levels of Elder Abuse increased by just nine cases.
- **There was a 17% reduction in 911 calls concerning Elder Abuse**. Note that 911 is not the primary place to make an APS referral, however, as 911 is for emergencies/imminent danger.

Forms of abuse

- In cases of abuse substantiated by Adult Protective Services, there has been a **30% reduction in instances of physical abuse**.
- Proportionally, adults with disabilities are more likely to be victims of sexual and physical violence compared to Elders. Elder abuse victims were 15 percentage points more likely to have experienced financial abuse.
- In addition to services provided by Adult Protective Services social workers, **550 clients over 65 received services for domestic or sexual violence in community-based services** in FY 2017, and one third were male. It is unknown whether the APS cases and cases seen by CBOs include many of the same clients
- **Self-neglect continues to be the biggest form of abuse** in Adult Protective Services substantiated cases – but the number of substantiated Elder Abuse Self-Neglect cases decreased by 12.6% since FY 2016.

Abuse victims

- Men and women experience elder abuse at the hands of others at roughly equal rates. However, **women tend to experience more 'severe' forms of abuse** (i.e. physical assault) compared to men, and women are more likely to have experienced **multiple forms of abuse**.
- In contrast to large increases in the number of victims of child abuse and domestic violence receiving support from District Attorney Victim Services, there has been a 6% reduction in elder abuse clients.
- Across Adult Protective Services, African Americans make up 16% of clients despite constituting just 6% of San Francisco's general population

Alleged abusers

- Both male and female victims were more likely to be abused by someone they know than by a stranger.

Criminal justice outcomes

- **Just 14% of elder financial abuse reports were investigated by the police**, compared to 40% of physical abuse reports on elders, 46% of child abuse reports, and 45% of domestic violence reports.
- There has been a slight increase in the number of elder abuse cases prosecuted, from 44 cases in FY 2016 to 46.

Introduction

Elder abuse may be physical, emotional, sexual or financial, or it may take the form of neglect – either neglect by another person, or self-neglect. Recent major studies report that 7.6% to 10% of elders experienced abuse in the previous year.⁶⁵ Approximately 1 in 10 Americans aged 60 and older have experienced some form of elder abuse.

Aging can bring particular vulnerabilities, such as illness, loss of mobility, or the death of a partner. Elder people may be reliant on someone else for their needs, from buying food to going to the bathroom, which leaves them vulnerable to exploitation and abuse. The dynamics of elder abuse can be similar to those of intimate partner violence; perpetrators will often strive to exert their power and control over victims so that they can coerce or manipulate some benefit for themselves, such as money, a place to stay, access to prescription medication, or sexual gratification.⁶⁶

This is not always the case, however: elder people may also be abused by a well-intentioned caregiver, such as an elderly partner who is no longer able to meet their needs safely. Neglect is the most common form of elder abuse and happens when, intentionally or unintentionally, a caregiver fails to support the physical, emotional and social needs of the elder person. Neglect can include denying food or medication, health services or contact with friends and family.

Abandonment and isolation – including acts deliberately designed to prevent an elder person from seeing visitors, getting their mail or receiving telephone calls – are also forms of elder abuse.

Perpetrators may be children or partners of the elder person, or other family members, or other known or unknown people, such as professional caregivers.

In cases of self-neglect, there is no perpetrator. This is when elder people fail to meet their own physical, psychological or social needs, or threaten their own health or safety in any way.

Many of these factors can also apply to adults with disabilities, be they developmental or physical. Given this, City agencies often present data on the abuse of 'dependent adults' – as they are known to Adult Protective Services – along with data on elder abuse. Throughout this chapter, it will be clearly marked when data refers to dependent adults.

Note on the data in this chapter

The data in this chapter comes from Adult Protective Services (APS); the San Francisco Elder Abuse Forensic Center (~~which is a partnership between non-profit Institute on Aging's Elder Abuse Prevention Program and City departments; and~~ which supports a subset of APS clients); the San Francisco Police Department; the District Attorney's Office; Adult Probation and the Sheriff's Department. As with the

⁶⁵ Prevalence and correlates of emotional, physical, sexual, and financial abuse and potential neglect in the United States: The national elder mistreatment study. Lifespan of Greater Rochester, Inc., Weill Cornell Medical Center of Cornell University. & New York City Department for the Aging. (2011) Under the Radar: New York State Elder Abuse Prevalence Study. New York; Acierno R, Hernandez MA, Amstadter AB, Resnick HS, Steve K, Muzzy W, et al. (2010). American Journal of Public, 100(2), 292-297

⁶⁶ Evan Stark (2007) <https://vawnet.org/sc/what-distinguishes-abuse-later-life-elder-abuse>

other chapters in this report, the data is not unduplicated. Where possible, data on abuse inflicted by others will be separated from data on self-neglect, due to the different nature of these two forms.

What are the levels of Elder Abuse in San Francisco?

As with all forms of family violence, it is impossible to gain a true sense of how much elder abuse there is in San Francisco. Elder people experiencing abuse may be particularly isolated; they may never encounter City agencies, or any person other than their abuser. If the perpetrator is a child or other family member, the elder person's instinct may be to protect their abuser, and never report their experiences.



Given these potential factors, Figure 102 draws from a broad range of data sources, including City departments and non-governmental organizations. To build as broad a picture as possible, it includes data from services not specifically designed to address elder abuse, such as community-based domestic and sexual violence services.

Figure 102 Elder Abuse and Dependent Adult Abuse in San Francisco,
FY 2015 – 2017

	FY 2015	FY 2016	FY 2017	% change FY 2016 – 17
Adult Protective Services (APS): Elder Abuse Reports Received*	4,672	4,962	4,854	-2%
APS: Dependent Adult Abuse Reports Received*	2,140	2,341	2,414	+3.1%
Total*	6,812	7,303	7,268	-0.5%
APS: Substantiated Cases of Elder Abuse*	2,130	2,307	2,316	+0.4%
APS: Substantiated Cases of Dependent Adult Abuse*	891	995	1,177	+18.3%
Total*	3,021	3,302	3,493	+6%
Clients aged 65+ in community-based services for domestic and sexual violence ⁶⁷	555	552	550	-0.4%
911 calls concerning Elder Abuse	170	181	151	-17%
Incidents of Elder Physical Abuse reported to SFPD	79	136	127	-7%
Cases of Elder Physical Abuse investigated by SFPD	50	54	50	-7%
Incidents of Elder Financial Abuse reported to SFPD	496	472	428	-9%
Cases of Elder Financial Abuse investigated by SFPD	79	60	58	-3%
District Attorney: Elder Physical Abuse cases prosecuted	37	44	46	+5%
Sheriff Department: Resolve to Stop the Violence Program (RSVP), participants with elder abuse charges	Not previously published	Not previously published	5	

*Includes Self-Neglect

⁶⁷ Counting only those clients in programs funded by the VAW Grant, administered by the Department on the Status of Women.

Adult Protective Services

The most comprehensive data on the extent of Elder and Dependent Adult abuse in San Francisco comes from Adult Protective Services (APS). Operated by the Department of Aging and Adult Services, which sits within the Human Services Agency, APS is a state-mandated, county-administered program that is charged with responding to reports of abuse, neglect, exploitation, and self-neglect of elders over the age of 65 and adults between the ages of 18 and 64 that have physical, mental, or cognitive disabilities.

APS receives reports of abuse through their 24-Hour hotline and (for non-urgent cases) online. Social workers assess each referral and determine an appropriate response; they work with law enforcement, medical services, and the District Attorney’s Office, as well as experts from the Elder Abuse Forensic Center, to effectively investigate and intervene in cases where abuse is taking place. APS may also conclude, following investigation, that an allegation is unsubstantiated.

Figure 103 Adult Protective Services: Total Substantiated Cases of Abuse, FY 2017

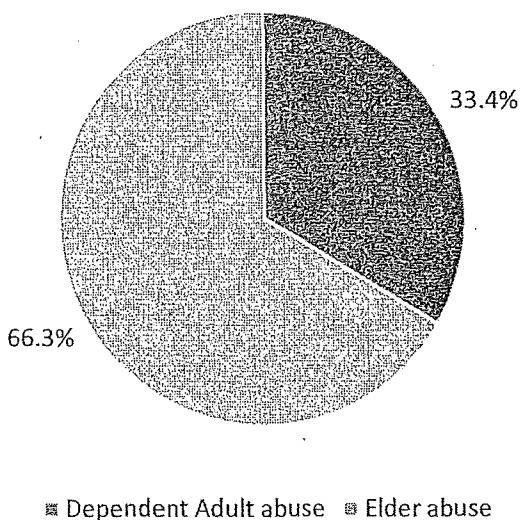


Figure 104, below, shows that in FY 2017, overall allegations of Elder and Dependent Adult abuse had declined slightly, from 7,303 in 2016 to 7,268. Breaking down the two forms of abuse (Figures 105 and 106), the decrease can be attributed to a reduction in Elder Abuse reports; reports of Dependent Adult abuse have increased by 3.1%.

Although allegations are down, overall substantiations – where APS finds that abuse has taken place – have increased by 6% since FY 2016 (Figure 104). Again, this overall increase can be attributed to Dependent Adult abuse cases. There have been 18% more cases of Dependent Adult abuse substantiated than in FY 2016 (Figure 106). The rate of substantiated elder abuse cases has increased by 1.2%. In FY 2014, Dependent Adult Abuse made up 29.5% of all substantiated cases. In FY 2017, it was 33.4% (Figure 103, left).

Figure 104 Adult Protective Services: Reports of and Substantiated Cases of Elder and Dependent Adult Abuse, FY 2014 - 2017

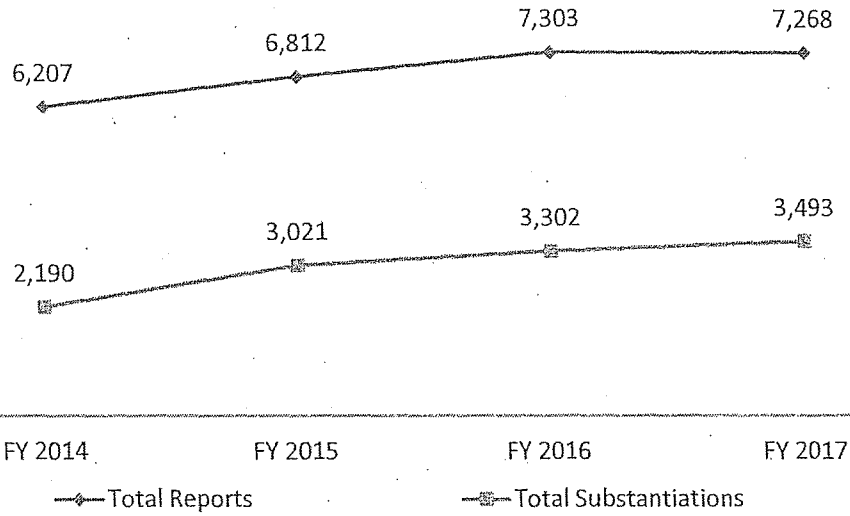


Figure 105 Adult Protective Services: Elder Abuse Reports and Substantiations, FY 2015 - 2017

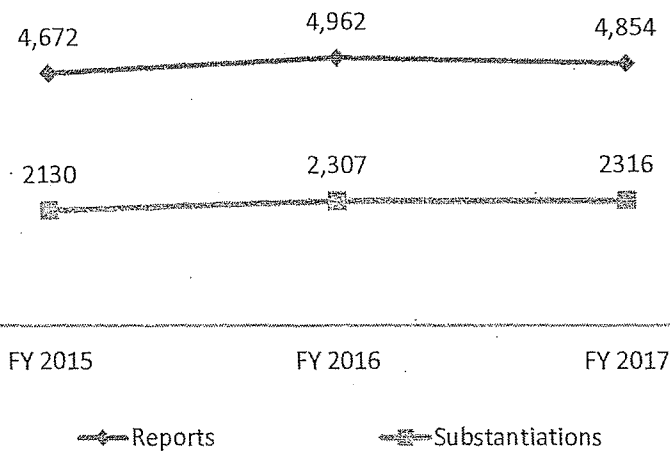
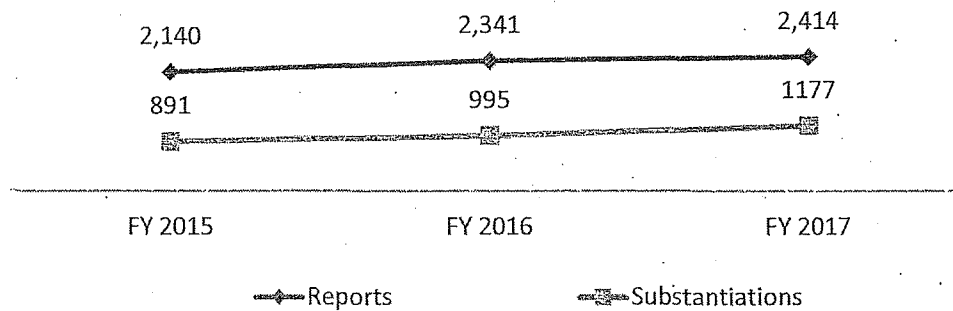


Figure 106 Adult Protective Services: Dependent Adult Abuse Reports and Substantiations, FY 2015 - 2017



What are victims experiencing?

Data from Adult Protective Services gives the most comprehensive insight into victims' experiences of abuse. Figures 107 and 108 show the types of elder abuse present in substantiated cases from FY 2015 – 2017. One individual may be experiencing multiple types of abuse.

Figure 107 shows abuse by others only. In FY 2017:

- There has been a 30% reduction in instances of physical abuse;
- An 18% reduction in psychological abuse;
- A 21% reduction in neglect;
- A 53% reduction in isolation;
- The only categories that have not declined are financial abuse (up by 7%) and abandonment (up by 8%).

Figure 107 Adult Protective Services: Substantiated cases of Elder Abuse by Abuse Type, Excluding Self-Neglect, FY 2015 - 2017

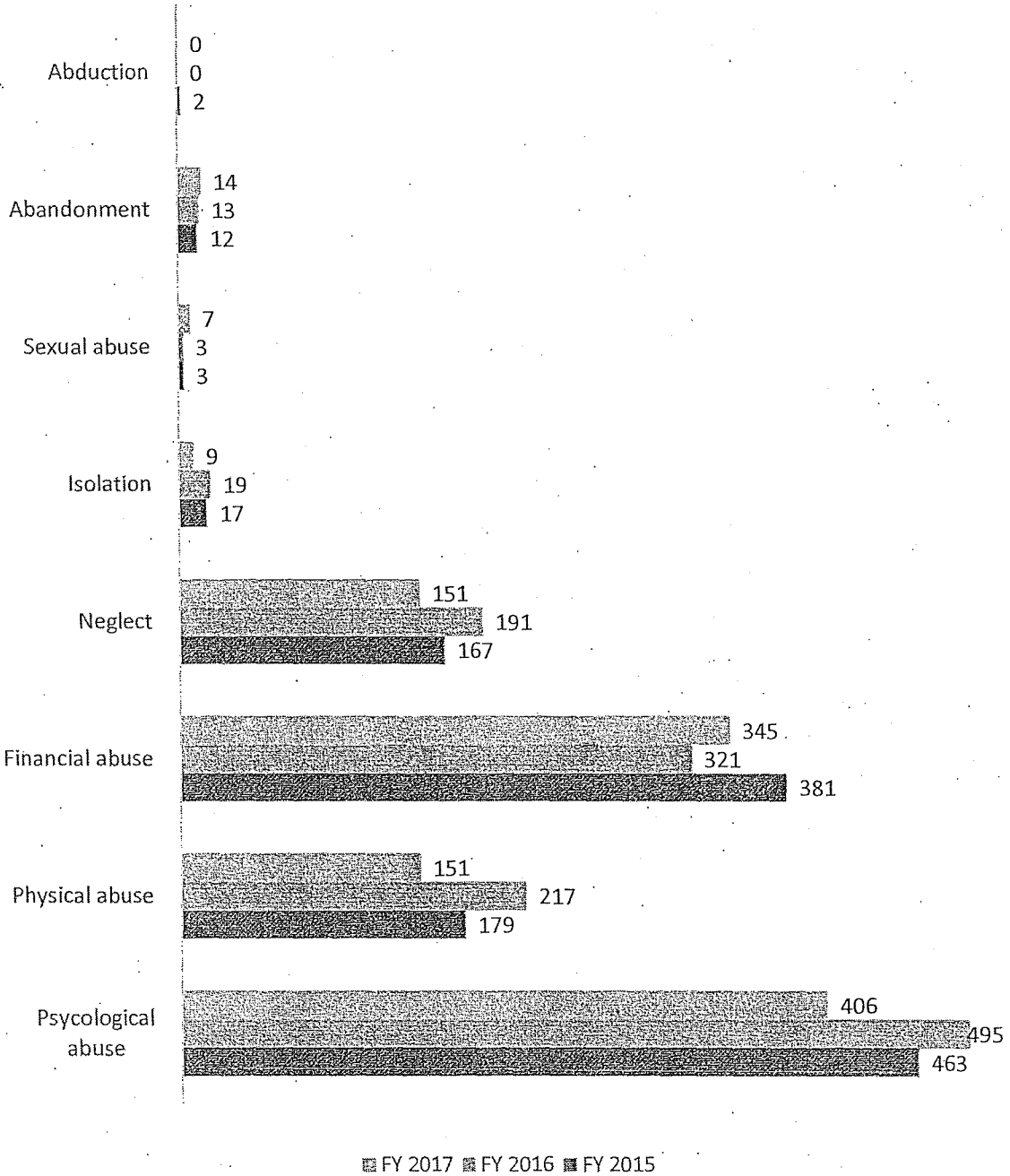
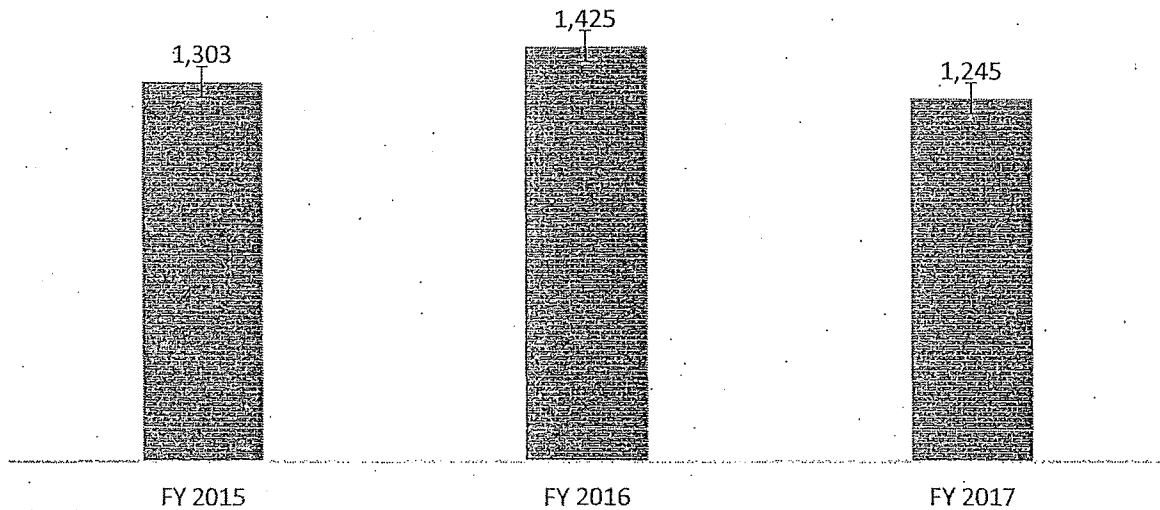


Figure 108 Adult Protective Services:
Substantiated Cases of Elder Abuse - Self-Neglect Only,
FY 2015 - 2017



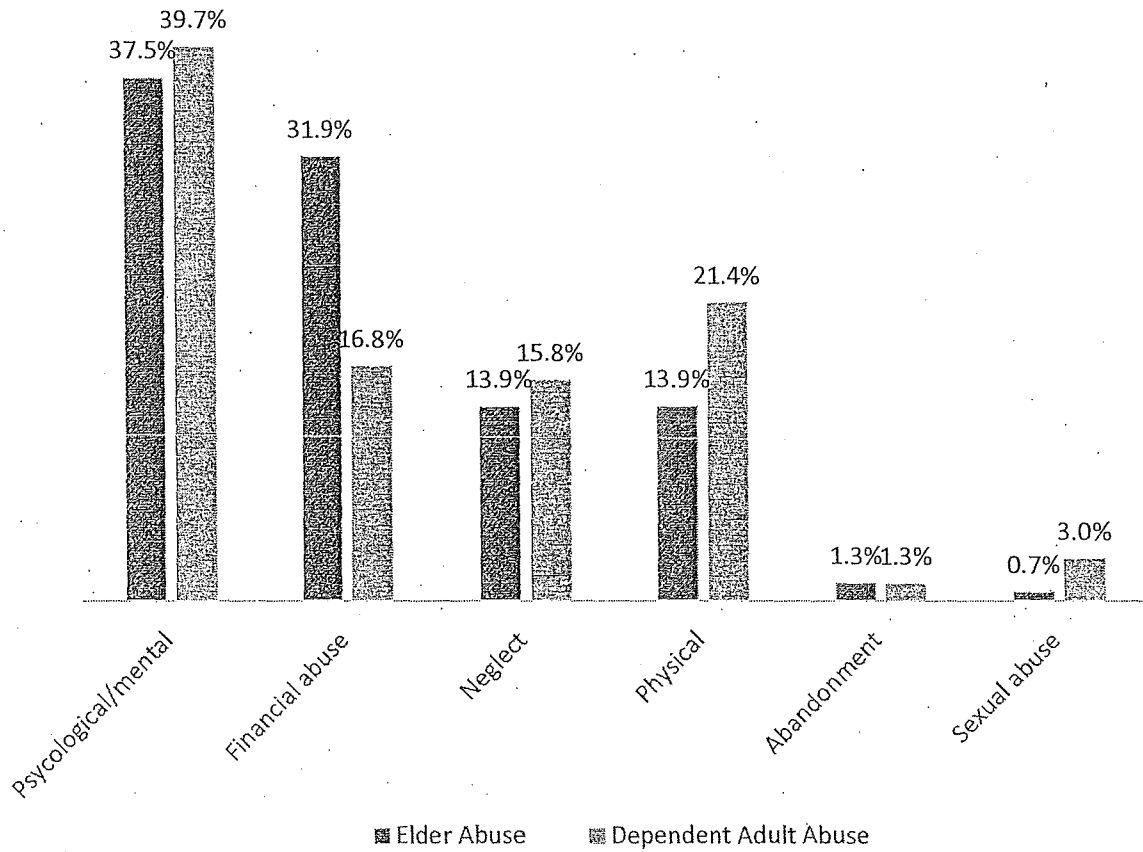
Overall, self-neglect is consistently the most common form of abuse experienced. In FY 2016, 29% of self-neglect cases were substantiated, and in 2017 the substantiation rate was 26%. While caseload has dropped, the substantiation rate has remained close to the same. There has been a 12.6% reduction in substantiated cases of self-neglect in FY 2017. Figure 108 shows the trend in instances of self-neglect in Elder Abuse cases.

How does the abuse experienced by Dependent Adults differ?

When data on elder and dependent adult abuse is aggregated, it is important to separate and compare these data, to understand who is experiencing what. Figure 109, below, shows us that dependent adults were:

- Less likely to experience financial abuse; this form was present in just 17% of Dependent Adult cases, compared to 32% of elder abuse cases;
- More likely to experience sexual abuse. Although the instances of sexual abuse were few in both groups, 3% of dependent adults had experienced sexual abuse, compared to 0.7% of those with substantiated cases of elder abuse; and
- More likely to experience physical abuse; there were instances of physical abuse in 21% of dependent adult cases, compared to 14% of elder abuse cases.

Figure 109 Adult Protective Services: Percentage of Cases Where Form of Abuse by Others Was Experienced, in Elder Abuse and Dependent Adult Abuse Cases,* FY 2017

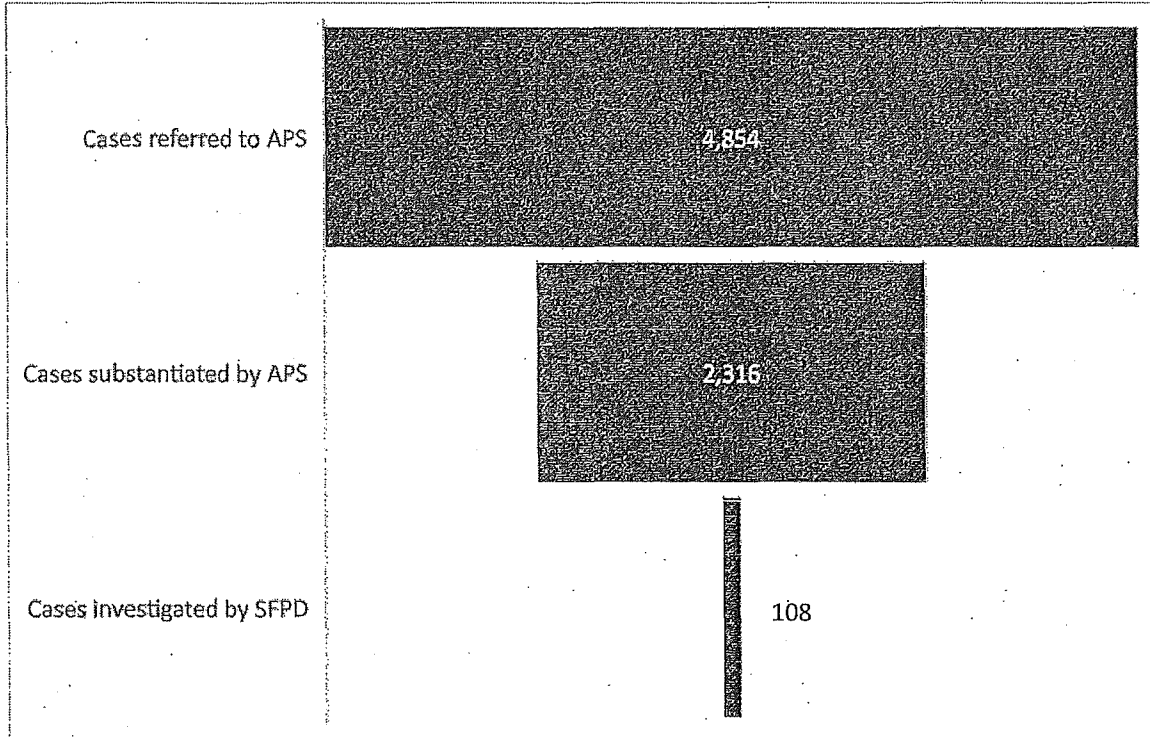


*There may be more than one type of abuse per person

Where are victims getting help?

Figure 106 illustrates the importance of the Adult Protective Services hotline in supporting victims of elder abuse and those concerned about them, as only a small fraction of these cases is ultimately investigated by the police.

Figure 110 Elder Abuse Cases in Different Systems,
FY 2017



Response from Law Enforcement

Calling 911

The number of 911 calls relating to elder abuse is relatively low – as with cases of child abuse, members of the public may be more likely to call the well-publicized hotline numbers than call 911. Figure 111 shows that 911 calls have reduced overall in FY 2017 by 17%. There have been significant reductions in the number of calls about an assault of an older person.

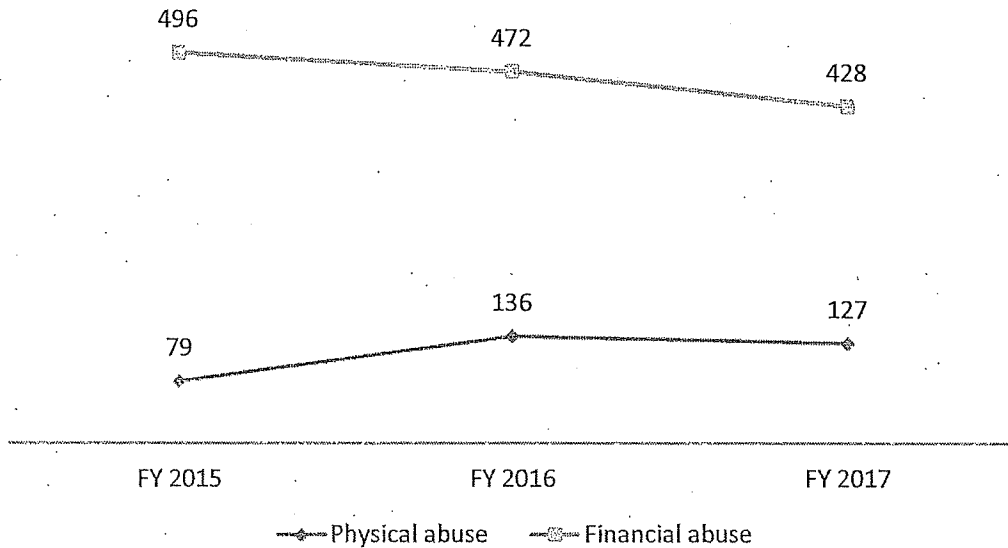
Figure 111 Department of Emergency Management: Calls to 911 Relating to Elder Abuse, by Call Type, FY 2015 – 2017

Call Type	Description	FY 2015	FY 2016	FY 2017	% change since FY 2016
368EA	Elder Abuse	104	113	97	-14%
240EA	Assault/Battery (Includes Unwanted Physical Contact)	44	31	25	-19%
470EA	Fraud	11	16	7	-56%
910EA	Well-Being Check	8	13	15	+15%
650EA	Threats	3	3	2	
488EA	Petty Theft	0	2	1	
418EA	Fight or Dispute – No Weapons Used	0	3	3	
212EA	Strong-Arm Robbery	0	0	0	
245EA	Aggravated Assault (Severe Injuries or Objects Used to Injure)	0	0	0	
	Total Elder Abuse Calls	170	181	151	-17%

Cases received by SFPD

Adult Protective Services cross-report all substantiated cases of elder abuse to the San Francisco Police Department (SFPD), but not all cases meet the criminal standard. Excluding those cases that do not meet the criminal standard, SFPD received 555 reports of elder abuse in FY 2017: 127 for physical abuse, and 428 for financial abuse. Figure 112 shows the decrease in reports for each crime types – 9% for financial abuse and 7% for physical abuse.

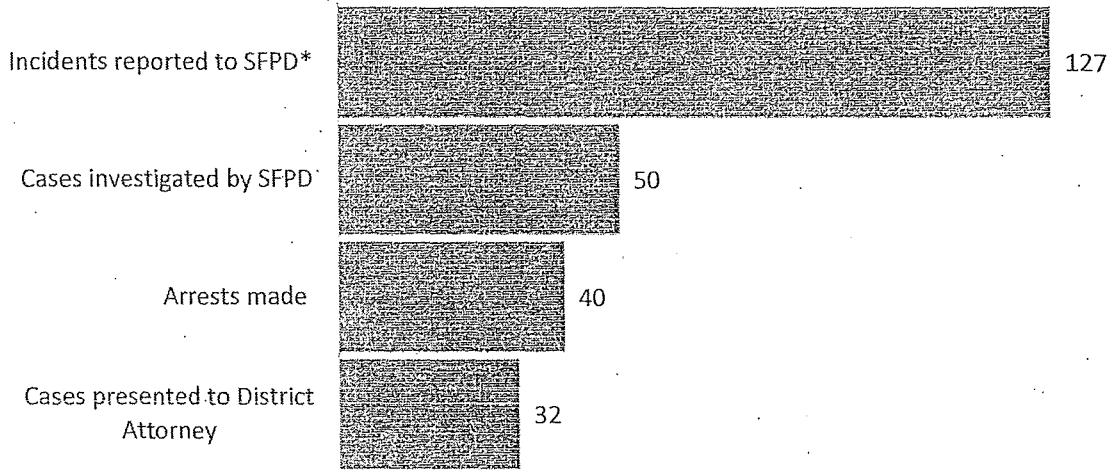
Figure 112 San Francisco Police Department: Reports of Elder Physical Abuse and Elder Financial Abuse, FY 2015 - 2017



Figures 113 and 114, below, show what happens to the cases following the report. In FY 2017:

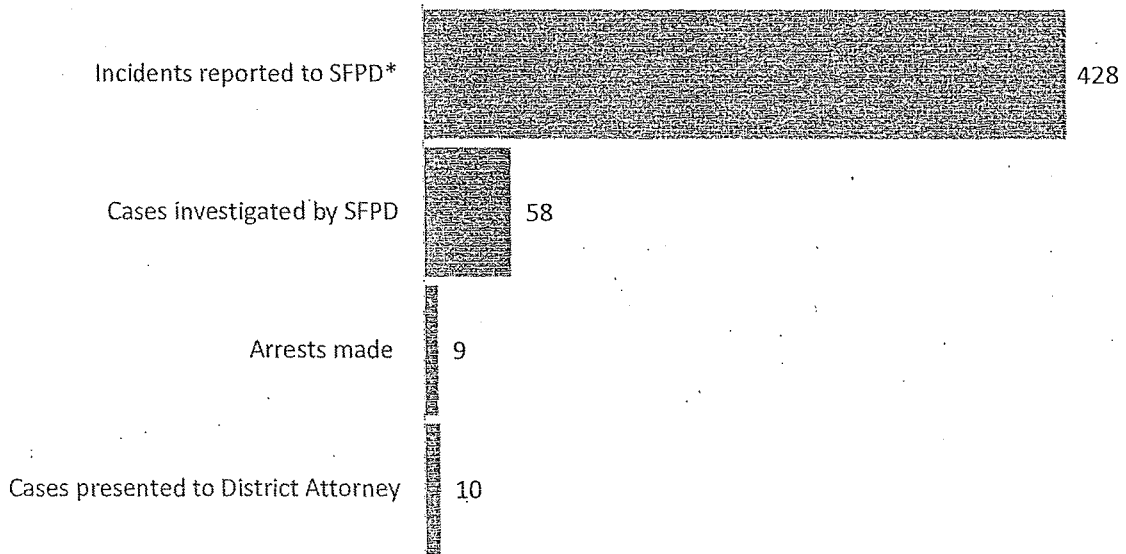
- There were far fewer reports of physical abuse than financial abuse, consistent with previous years, but a much higher percentage of physical abuse cases were investigated. Only 14% of reported financial abuse cases were investigated in FY 2017), compared to 40% of all physical abuse cases reported. Last year, the percentage of financial abuse cases prosecuted was 13%.
- Similarly, only 17% of financial abuse cases investigated were presented to the District Attorney's office, compared to 64% of physical abuse cases.

Figure 113 Flow of Elder Physical Abuse Cases Through the Criminal Justice System, FY 2017



*Excluding incidents reported by APS that do not meet criminal definition of Elder Abuse

Figure 114 Flow of Elder Financial Abuse Cases Through the Criminal Justice System, FY 2017



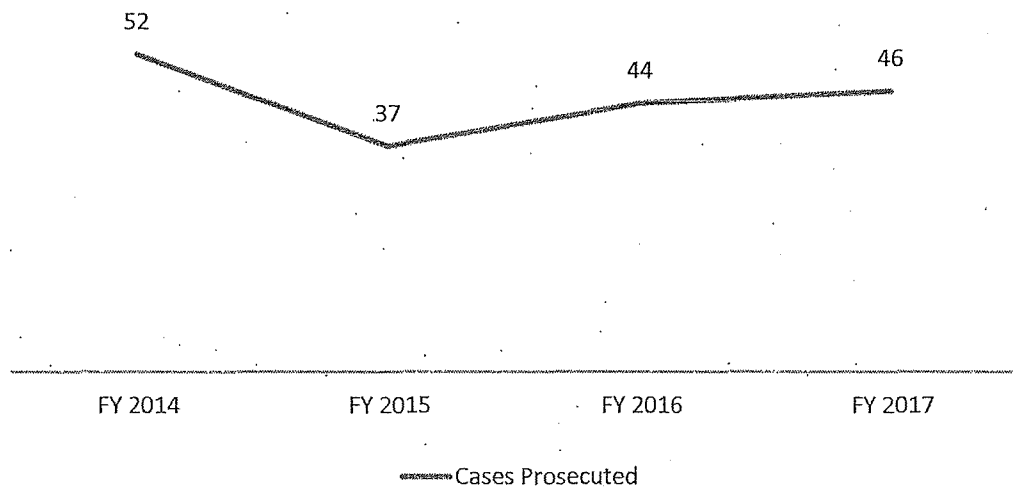
Prosecutions

There were 46 prosecutions for elder abuse in FY 2017. This represents a slight increase on FY 2016 (as Figure 115 illustrates) but it is still six cases below the District Attorney's prosecution count in FY 2014.

We do not know how many elder abuse cases the District Attorney received, as it counts the domestic violence, stalking and elder abuse cases it receives together. The overall prosecution rate for these three forms of family violence was 30%, six percentage points below what it was in FY 2016.

All of the elder abuse cases prosecuted were resolved before coming to trial.

Figure 115 District Attorney: Prosecutions for Elder Abuse, FY 2014 - 2017



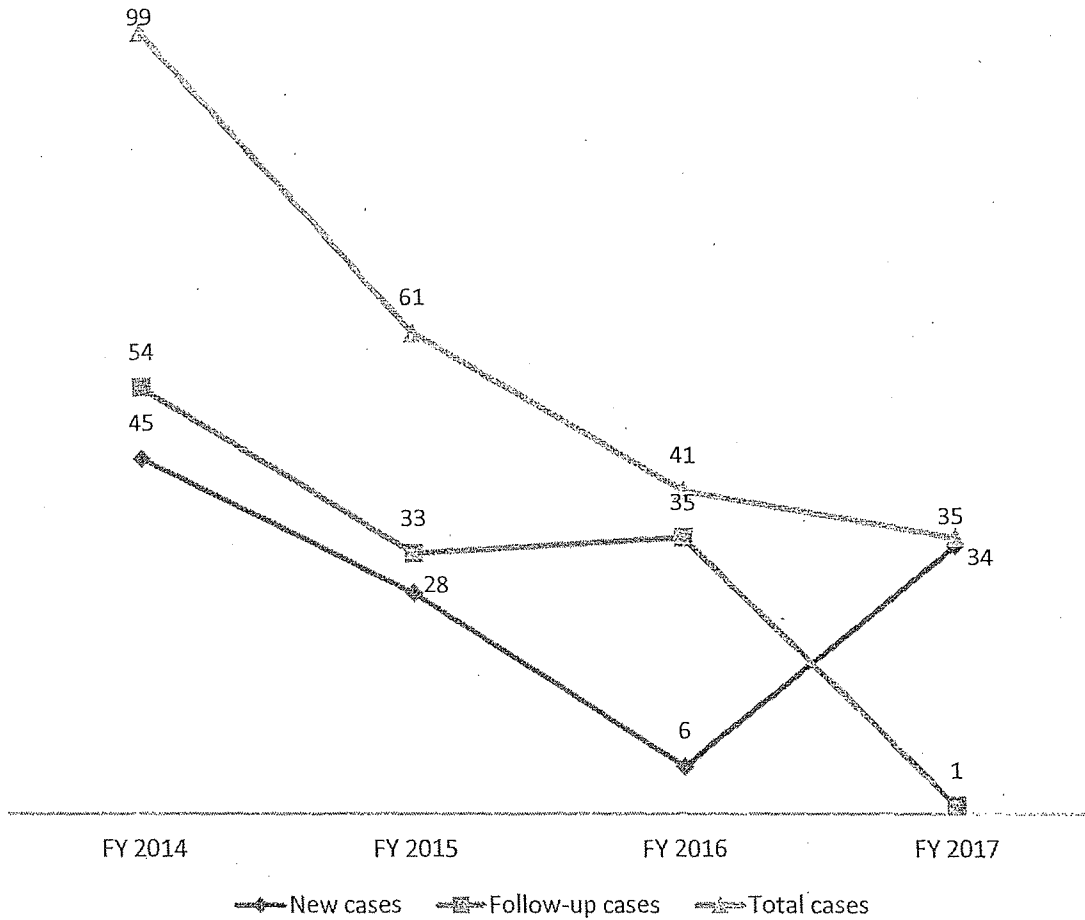
Other sources of support

Elder Abuse Forensic Center

The San Francisco Elder Abuse Forensic Center (SFEAFC) is a public-private partnership between the non-profit Institute on Aging's Elder Abuse Prevention (EAP) Program and City departments. Its mission is to prevent and combat the abuse, neglect, and exploitation of elders and dependent adults in San Francisco through improved collaboration and coordination of professionals within the elder abuse network. A formal referral process to the Forensic Center is utilized by APS, based upon the relative complexity of each case and/or the need for specialized consultation.

In FY 2017, there were 34 new cases seen by the Forensic Center, and it managed 35 cases in total. The total number of cases reviewed by the Forensic Center continues to go down, as shown by Figure 116 – but this year, the majority of cases were new, with only one follow-up case.

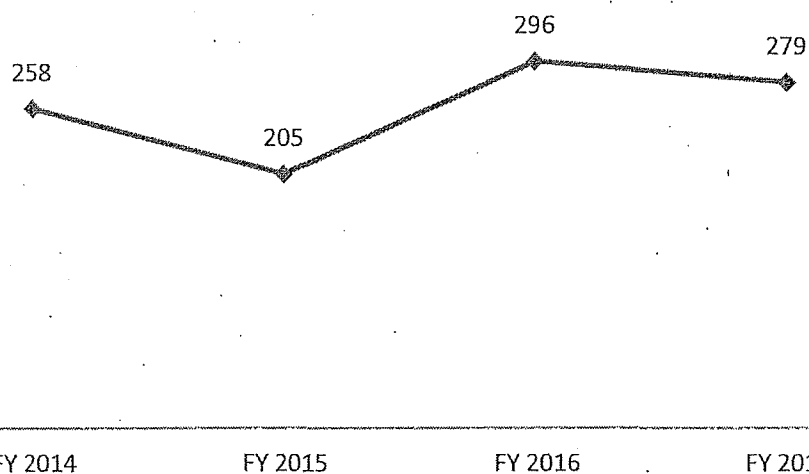
Figure 116 Elder Abuse Forensic Center: Number of Cases, FY 2014 - 2017



District Attorney Victim Services Division

For victims of Elder Abuse whose perpetrators are pursued through the justice system, the District Attorney’s Victim Services Division offers support and services. In FY 2017, there was a 6% reduction in the number of clients supported who had experienced elder abuse (Figure 117, below). This is in contrast to large increases in the number of victims of other crime being supported – 71% for domestic violence and 79% for child abuse. However, it is important to note that there was a large increase in the number of Elder Abuse victims supported by the Victim Services Division between FY 2015 and FY 2016, from 205 to 296.

Figure 117 District Attorney Victim Services Division: Number of Elder Abuse Clients Supported, FY 2014 - 2017



Who is experiencing Elder Abuse?

Adult Protective Services is not currently able to provide the Family Violence Council detailed demographic data. However, data on victims supported by the Elder Abuse Forensic Center, District Attorney Victim Services, and Sheriff Department's Survivor Restoration Program, as well as Police victim data, can provide insight into who is experiencing Elder Abuse.

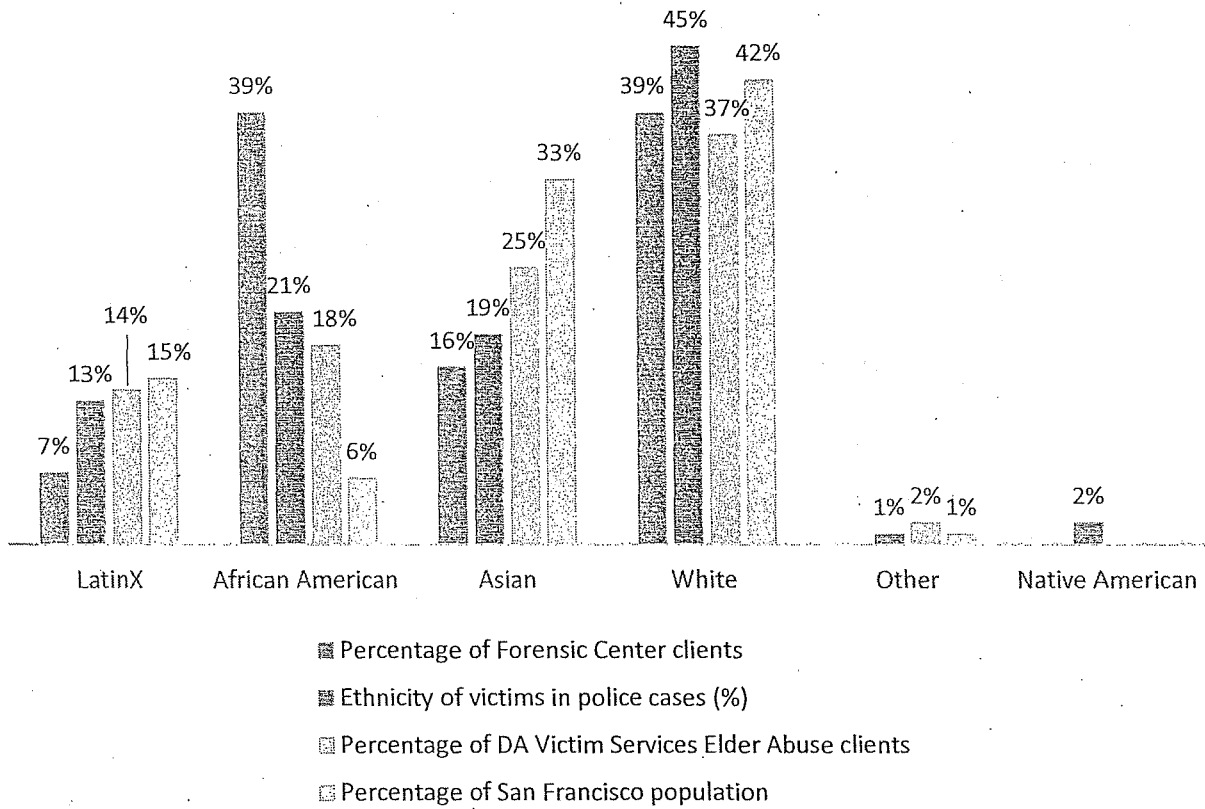
Ethnicity of victims

Forensic Center data from the previous four years has shown consistently that people of color are over-represented when it comes to Elder Abuse. However, it is hard to draw conclusions when the Forensic Center data set is so small -- 35 cases, or less than 1% of APS cases.

Figure 118 below shows that cases involving African American victims reviewed by the Forensic Center made up 39% of the caseload in FY 2017, despite constituting just 6% of San Francisco's general population. The proportion of African American clients has increased by 16 percentage points since FY 2016, when they made up just 23% of the total clients.

Figure 118 also shows the ethnic breakdown of elder abuse victims recorded in police cases, and those supported by the District Attorney's Victim Services Division. In this data, there are far fewer Black victims, as a percentage, in justice system data, then in the APS data subset represented by the Forensic Center data.

Figure 118 Elder Abuse Forensic Center: Ethnic Breakdown of Elder Abuse Victims (including self-neglect) Compared to Ethnicity of Victims in Different Systems and General Population of San Francisco, FY 2017



The ethnic breakdown of victims becomes more complex when we consider the forms of abuse. Figures 119 and 120, below, show the breakdown of clients in FY 2017, both in cases of abuse by others and self-neglect. African Americans remain disproportionately represented compared to the population in both, but to a much greater degree in cases of self-neglect. For abuse by others, White victims are the largest group. There are no cases of self-neglect in the Latinx community, despite Latinx people making up 10% of the 'abuse by others' clients.

Figure 119 Elder Abuse Forensic Center: Number of Victims of Self-Neglect, by Race/Ethnicity, FY 2017 (n = 13)

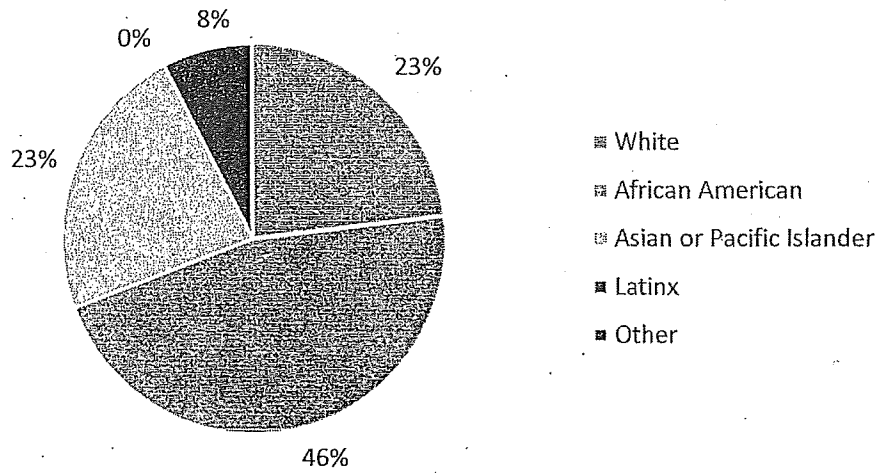
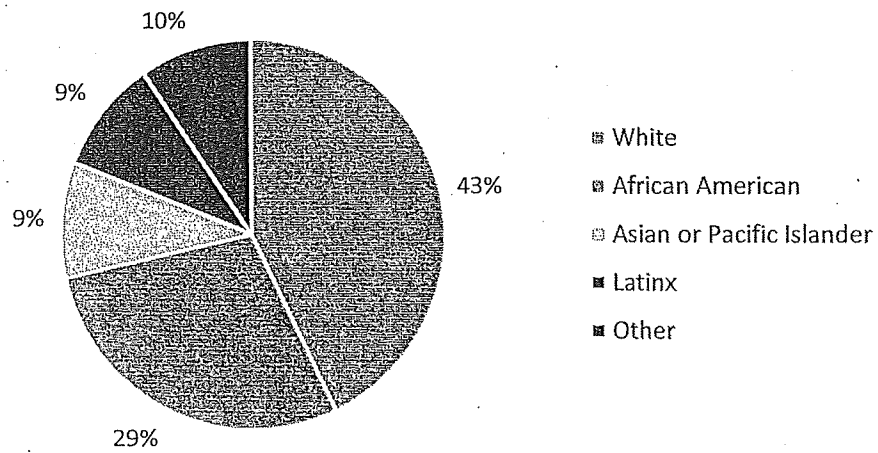
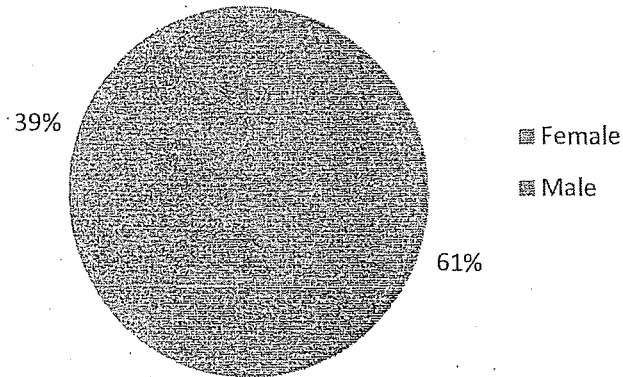


Figure 120 Elder Abuse Forensic Center: Number of Victims of Abuse by Others, by Race/Ethnicity, FY 2017 (n = 21)



Gender of victims

Figure 121 Elder Abuse Forensic Center:
Gender of Combined Victims,
FY 2014 - 2017
(n = 147)



There was an almost-even split between male and female victims in FY 2017. However, in previous years, the Forensic Center has seen more cases involving women (Figure 121). Since FY 2014, the Center has reviewed 89 cases of female victims, and 58 cases of male victims.

According to data from the San Francisco Police Department, 70% of victims of elder abuse were female, where their gender was known. However, amongst clients who had experienced elder abuse in the District Attorney's Victim Services Division, there was a much more even gender division – 56% female where their gender was known, to 44% male.

Age of victims

The average age of Forensic Center victims was 75 and the median age was 79. Last year, victims were older on average, the median age being 82. Again, the small number of Forensic Center clients may not be reflective of the overall APS caseload.

Do demographic characteristics impact the type of abuse victims experience?

Gender

Figure 122 Elder Abuse Forensic Center: Number and Gender of Victims Experiencing Different Forms of Abuse,⁶⁸ FY 2017

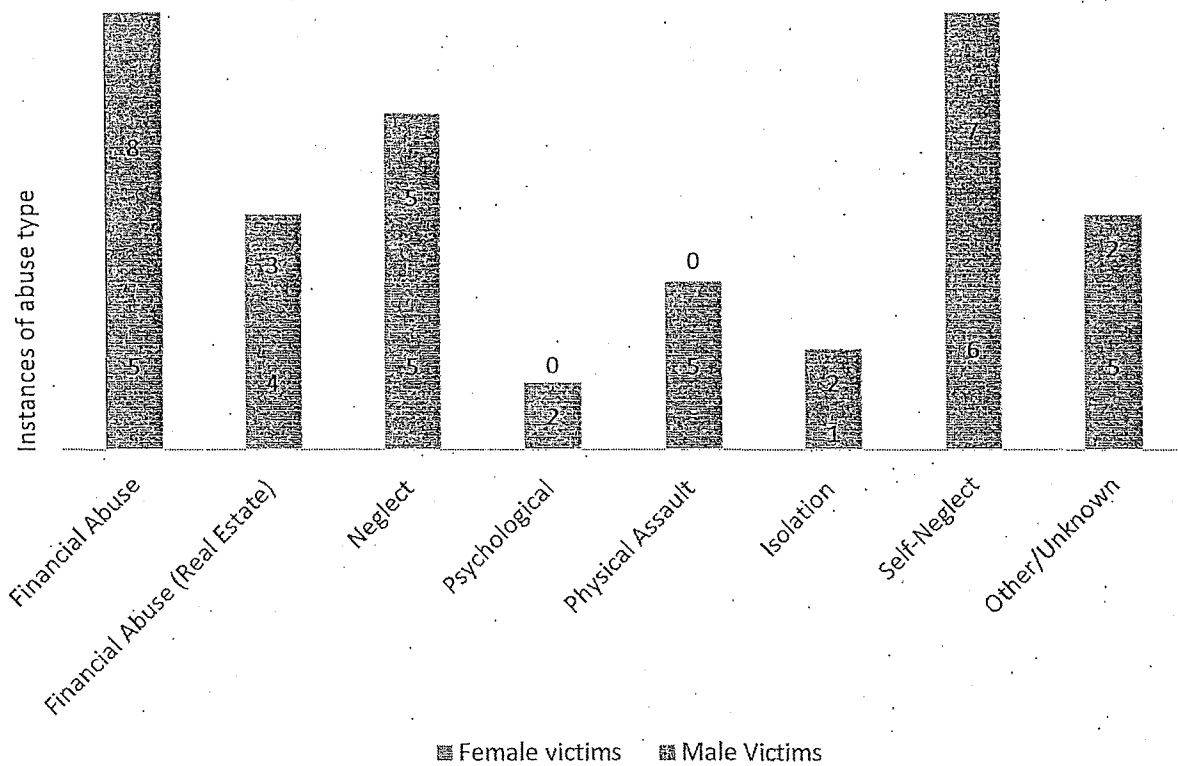


Figure 122, above, shows the breakdown of different abuse types experienced by men and women in the Forensic Center caseload.

Although there is an even gender split across Forensic Center cases overall, Figure 122 shows that there are gender differences when it comes to the forms of abuse victims experienced.

⁶⁸ Individuals often experienced multiple forms of abuse, so the total number of ‘abuses’ represented here is larger than the total number of unduplicated clients.

100%

of physical assault and psychological abuse cases involved female victims*

61%

of women had experienced multiple forms of Elder Abuse*

*According to Elder Abuse Forensic Center data

Financial abuse (including real estate) is most common form of abuse by others, occurring in 20 cases. This was also true in FY 2016, but there has been a significant reduction since then; financial abuse of some kind was present 29 cases in FY 2016. This year, though, there is data to show that more men than women experienced financial abuse; it was present in 50% of female cases, and 69% of male cases.

Figure 122 also shows that 15% of female victims had experienced physical assault or battery, compared to 0% of men. There were also zero men who experienced psychological abuse.

Women were also more likely to have experienced multiple forms of abuse – 61% of female victims, compared to 50% of male victims.

Experiences of domestic and sexual violence

There were 19 confirmed cases of sexual abuse in APS data for FY 2017 – seven counts for Elder Abuse victims, and 12 counts for Dependent Adult abuse victims.

Data from programs funded by the Violence Against Women Grant⁶⁹ is useful in gaining a fuller picture of elder San Franciscan's experiences of gender-based violence. These programs support victims of domestic violence, sexual violence and human trafficking. In FY 2017, these programs served 550 clients aged 65 or older – 3% of the total clients served. Similar numbers have been served over the previous two years.

There were 128 victims of Elder Abuse recorded in police data. Yet demographic police data on all victims of family violence – collected for this report for the first time – shows that in addition to these victims, there were 166 victims of domestic violence aged over 60 (5.2% of all police victims) and six victims of stalking.

Who are these victims?

As Chapter 1 of this report demonstrates, women are disproportionately affected by domestic and sexual violence whatever their age. Additionally, VAW grantee data and police data both suggest that the gender disparity in domestic violence reduces as victims' age increases.

⁶⁹ The VAW Grant is awarded to community-based organizations by the San Francisco Department on the Status of Women, to run programs that address domestic violence, sexual violence and trafficking.

Of the 550 clients aged 65+ served by VAW programs, 67% were female, and 33% were male (Figure 119). In contrast, for clients aged between 18 and 64-years-old, 93% were women (Figure 123).

Similarly, in the police data, 59% of domestic violence victims aged 60 or older were female. This compares to 76% of domestic violence victims aged between 18 and 59. This change may reflect the fact that all individuals – regardless of gender – become more vulnerable to abuse as they get older.

Figure 123 VAW Grant-Funded Programs: Clients Aged 65+ by Gender, FY 2017

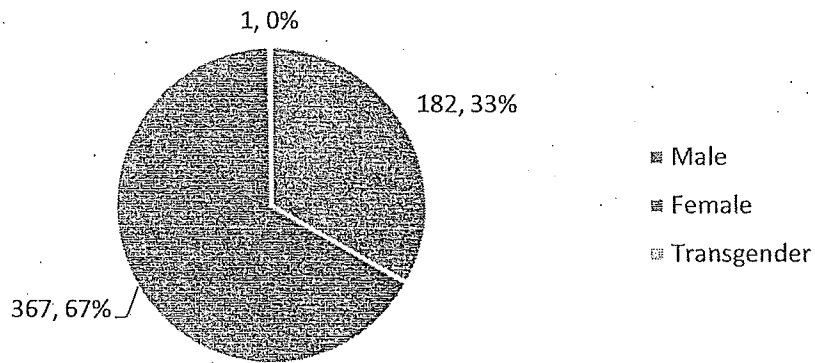
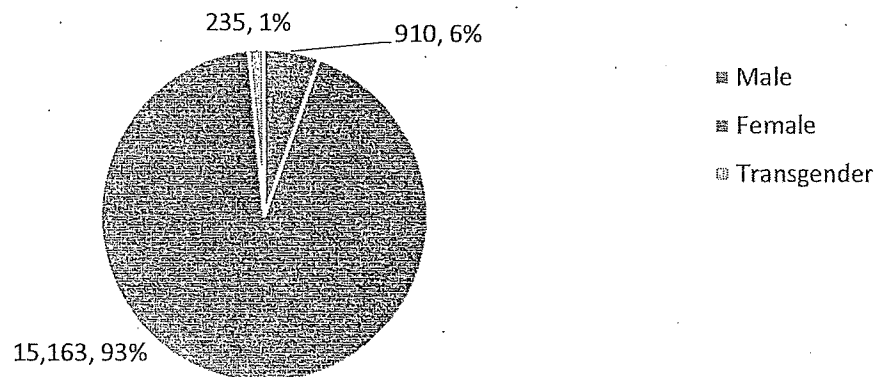


Figure 124 VAW Grant-Funded Programs: Clients Aged 18 - 64 by Gender, FY 2017



Who are the perpetrators?

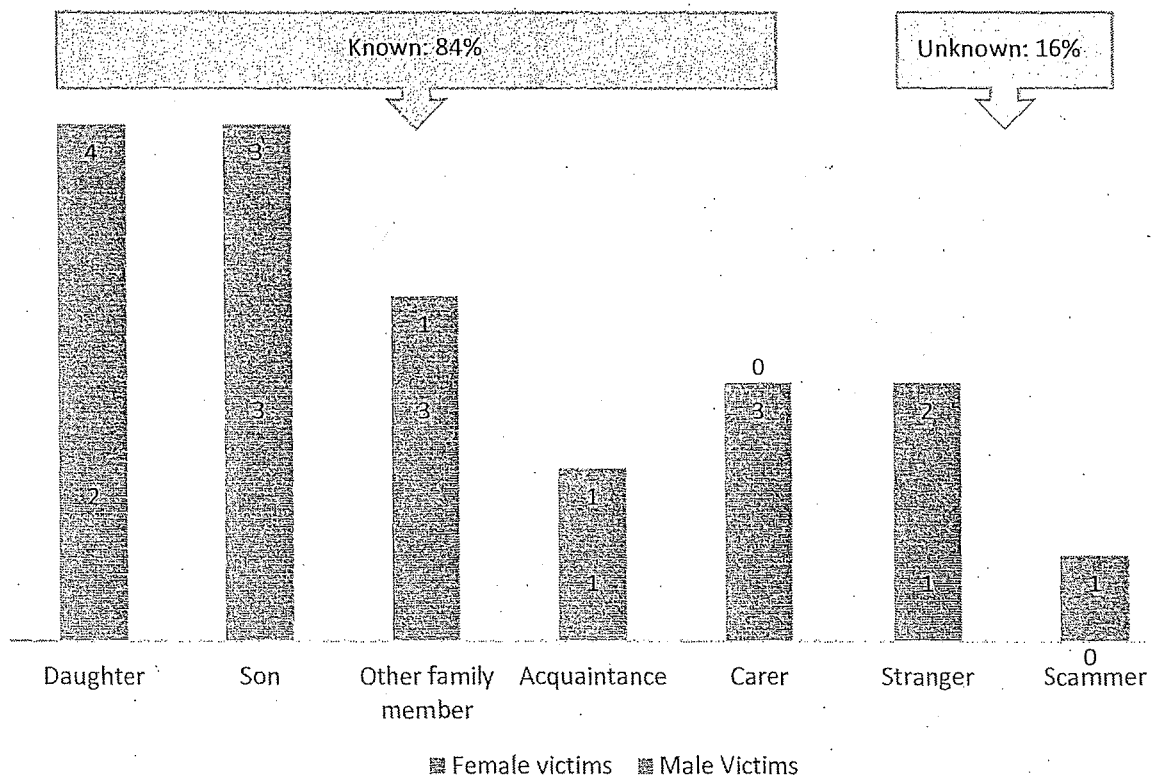
48%

of Forensic Center victims were abused by their child

This year, for the first time, data has been collected from the Elder Abuse Forensic Center on perpetrators (Figure 125). 84% of victims knew their abusers. The majority of victims (64%) were abused by a family member – most commonly, by their children. Sons and daughters were equally likely to perpetrate abuse.

As shown in Figure 125, data from 35 Forensic Center cases showed that 84% of victims knew their abuser. This selection did not involve abuse by intimate partners, but APS does receive cases alleging abuse by an intimate partner. It is important to remember that 550 women aged over 65 were supported in community-based domestic violence, sexual violence and trafficking services.

Figure 125 Elder Abuse Forensic Center: Relationship Between Victim and Perpetrator of Abuse, Where Known, by Gender, FY 2017



What support is there for perpetrators?

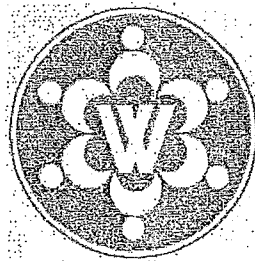
Resolve to Stop the Violence Project

In FY 2017, there were two male and three female participants with Elder Abuse charges in the Sheriff Department's Resolve to Stop the Violence Project, which aims to reduce recidivism among violent offenders, and restore individuals and communities through community involvement and support.

END

Appendix A: List of Family Violence Council Members in FY 2017

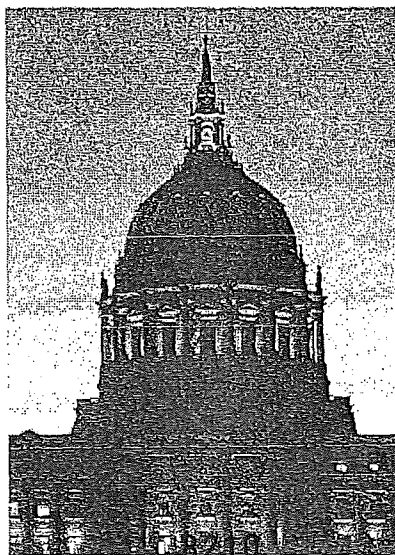
Agency	Family Violence Council Representative
Adult Probation Department	<i>Shannon Bulleri, Ramona Massey</i>
Batterers' Intervention Programs	
Board of Supervisors	<i>Roy Garanton</i>
Commission/Department on the Status of Women	<i>Olga Ryerson, Dr. Emily Murase, Minouche Kandel</i>
Department of Aging and Adult Services	<i>Jill Nielsen</i>
Department of Animal Care & Control	
Department of Child Support Services	<i>Karen Roye, Freda Randolph Glenn</i>
Department of Children, Youth, & Their Families	<i>Aumijo Gomes</i>
Department of Emergency Management	<i>Cecile Soto</i>
Department of Public Health	<i>Dr. Leigh Kimberg, Carol Schulte</i>
Department of Human Resources	<i>Reyna McKinnon</i>
District Attorney's Office	<i>Elizabeth Aguilar Tarchi, Gena Castro Rodriguez</i>
Domestic Violence Consortium	<i>Beverly Upton</i>
Fire Department	
Human Services Agency	<i>Tracy Burris, Julie Lenhardt</i>
Juvenile Probation Department	<i>Paula Hernandez, Ana Villagran</i>
Mayor's Office	<i>Paul Henderson</i>
Police Department	<i>Capt. Una Bailey</i>
Public Defender's Office	<i>Carmen Aguirre, Inna Verdiyan</i>
Safe & Sound (formerly San Francisco Child Abuse Prevention Center)	<i>Katie Albright, Larry Yip</i>
San Francisco Elder Abuse Prevention Center	<i>Shawna Reeves, Tamari Hedani</i>
San Francisco Unified School District	<i>Erik Martinez</i>
Sheriff's Department	<i>Delia Ginorio</i>
Superior Court	<i>Hon. Tracie Brown, Hon. Charles Crompton</i>



For more information, please contact:
The San Francisco Department on the Status of Women
25 Van Ness Avenue, Suite 240 | San Francisco, CA 94102
415.252.2570 | dosw@sfgov.org | sfgov.org/dosw



This report is available online at: <http://sfgov.org/dosw/family-violence-reports>



Introduction Form

By a Member of the Board of Supervisors or Mayor

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2019 JUN 18 PM 4:36
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of meeting date

BY [Signature]

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Brown; Stefani, Ronen, Yee, Fewer, Safai, Mar, Walton, Peskin, Mandelman

Subject:

Resolution supporting the Violence Against Women Reauthorization Act (VAWA) of 2019

The text is listed:

Resolution supporting the Violence Against Women Reauthorization Act (VAWA) of 2019, a bipartisan bill to prevent domestic violence, sexual assault, dating violence, and stalking and hold offenders accountable that has passed out of the U.S. House of Representatives and awaits consideration by the U.S. Senate.

Signature of Sponsoring Supervisor: []

Vallie Brown

For Clerk's Use Only

