



(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To require the Attorney General to issue guidance to law enforcement agencies as they respond to increased levels of domestic violence during the COVID–19 public health emergency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. WEXTON introduced the following bill; which was referred to the
Committee on _____

A BILL

To require the Attorney General to issue guidance to law enforcement agencies as they respond to increased levels of domestic violence during the COVID–19 public health emergency, 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.**

4 This Act may be cited as the “Domestic Violence
5 Public Health Emergency Guidance Act”.

1 **SEC. 2. GUIDANCE ON ADDRESSING DOMESTIC VIOLENCE**
2 **DURING THE COVID-19 PUBLIC HEALTH**
3 **EMERGENCY.**

4 (a) GUIDANCE.—Not later than 30 days after the
5 date of enactment of this Act, the Attorney General, in
6 consultation with the Secretary of Health and Human
7 Services and, to the extent practicable, domestic violence
8 stakeholders and State, local, and tribal law enforcement
9 stakeholders, shall issue guidance to Federal, State, local,
10 and tribal law enforcement agencies which contain prom-
11 ising and best practices for addressing domestic violence
12 and protecting the safety of law enforcement officers and
13 all other parties involved, during the COVID-19 public
14 health emergency. In issuing the guidance required under
15 this subsection, the Attorney General shall—

16 (1) identify law enforcement-centered promising
17 and best practices for—

18 (A) addressing domestic violence during
19 the COVID-19 public health emergency;

20 (B) adopting and implementing such pro-
21 grams and practices;

22 (C) implementing measures to mitigate ex-
23 posure to COVID-19, including adequate use of
24 personal protective equipment, when responding
25 to domestic violence incidents that create poten-

1 tial exposure to COVID–19 for all parties in-
2 volved; and

3 (D) ensuring safety and limiting risk of ex-
4 posure to COVID–19 for family members of law
5 enforcement officers;

6 (2) identify victim-centered promising and best
7 practices for—

8 (A) assessing the potential threat of vio-
9 lence to the victim and their children, while en-
10 suring safety and privacy;

11 (B) safety planning for victims and their
12 children and taking preventive steps to ensure
13 safety for all parties involved during the
14 COVID–19 public health emergency;

15 (C) timely submission of records for do-
16 mestic violence protective orders and other re-
17 lated court orders and convictions for crimes re-
18 lated to intimate partner violence in the na-
19 tional criminal instant background check sys-
20 tem;

21 (D) enforcing domestic violence protective
22 orders, other related court orders, and child
23 custody orders in the context of domestic vio-
24 lence; and

1 (E) ensuring community coordinated re-
2 sponses to domestic violence; and

3 (3) create a resource guide, including—

4 (A) the promising and best practices iden-
5 tified under paragraphs (1) and (2);

6 (B) educational resources on risk factors
7 related to COVID–19 that exacerbate the risk
8 of escalation and lethality of reports of domestic
9 violence, such as fear of illness, drug and alco-
10 hol abuse, economic uncertainty, unemploy-
11 ment, and grief;

12 (C) educational resources on training, in-
13 cluding cultural humility and vicarious trauma,
14 for law enforcement officers responding to do-
15 mestic violence;

16 (D) educational resources on investigation
17 and prosecutorial tools for law enforcement offi-
18 cers responding to domestic violence;

19 (E) resources for victims of domestic vio-
20 lence during the COVID–19 public health emer-
21 gency, including information related to the na-
22 tional domestic violence hotline authorized
23 under section 313 of the Family Violence Pre-
24 vention and Services Act (42 U.S.C. 10413).

1 (b) DISSEMINATION.—Not later than 30 days after
2 the date of enactment of this Act, the Attorney General
3 shall—

4 (1) issue the guidance developed under sub-
5 section (a) directly to Federal, State, local, and trib-
6 al law enforcement agencies;

7 (2) make the guidance publicly available by
8 posting the guidance electronically on the website of
9 the Department of Justice;

10 (3) collaborate with the Secretary of Health
11 and Human Services to make the guidance available
12 on the website of the Department of Health and
13 Human Services.

14 **SEC. 3. DEFINITIONS.**

15 In this Act:

16 (1) The term “domestic violence” has the
17 meaning given the term under section 40002(a)(8)
18 of the Violent Crime Control and Law Enforcement
19 Act of 1994 (34 U.S.C. 12291(a)(8)).

20 (2) The term “COVID–19 public health emer-
21 gency” means the period beginning on the date on
22 which the emergency period under section
23 1135(g)(1)(B) of the Social Security Act (42 U.S.C.
24 1320b-5(g)(1) was declared and ending 90 days
25 after the date on which such period ends.

1 (3) The term “COVID–19” means the 2019
2 Novel Coronavirus or 2019-nCoV.

3 (4) The term “personal protective equipment”
4 means any protective equipment required to prevent
5 the wearer from contracting COVID–19, including
6 gloves, N–95 respirator masks, gowns, goggles, face
7 shields, or other equipment required for safety.

8 (5) The term “State” means each of the several
9 States, the District of Columbia, the Commonwealth
10 of Puerto Rico, Guam, American Samoa, the Virgin
11 Islands, and the Northern Mariana Islands.

12 (6) The term “Federal law enforcement agen-
13 cy” includes law enforcement agencies of the Armed
14 Forces.