

116TH CONGRESS
2D SESSION

H. R. 6633

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

APRIL 28, 2020

Ms. WEXTON (for herself, Ms. WASSERMAN SCHULTZ, Mrs. HAYES, Mr. GRIJALVA, Mr. THOMPSON of Mississippi, Mr. HASTINGS, Mrs. CAROLYN B. MALONEY of New York, Ms. NORTON, Ms. ESCOBAR, Ms. MUCARSEL-POWELL, Mr. LYNCH, Ms. SEWELL of Alabama, Mr. LARSON of Connecticut, Mr. SOTO, Mr. COX of California, Mrs. BEATTY, Mr. BROWN of Maryland, Mr. MCGOVERN, Ms. PORTER, Ms. KUSTER of New Hampshire, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. SPANBERGER, Mr. PRICE of North Carolina, Mr. CARSON of Indiana, Mr. DANNY K. DAVIS of Illinois, Mr. SMITH of Washington, and Mr. HECK) introduced the following bill; which was referred to the Committee on the Judiciary

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. GUIDANCE ON ADDRESSING DOMESTIC VIOLENCE**
5 **DURING THE COVID-19 PUBLIC HEALTH**
6 **EMERGENCY.**

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

19 (1) identify law enforcement-centered promising
20 and best practices for—

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

23 (B) adopting and implementing such pro-
24 grams and practices;

25 (C) implementing measures to mitigate ex-
26 posure to COVID-19, including adequate use of

1 personal protective equipment, when responding
2 to domestic violence incidents that create poten-
3 tial exposure to COVID–19 for all parties in-
4 volved; and

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

8 (2) identify victim-centered promising and best
9 practices for—

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

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

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

23 (D) enforcing domestic violence protective
24 orders, other related court orders, and child

1 custody orders in the context of domestic vio-
2 lence; and

3 (E) ensuring community coordinated re-
4 sponses to domestic violence; and

5 (3) create a resource guide, including—

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

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

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

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

21 (E) resources for victims of domestic vio-
22 lence during the COVID–19 public health emer-
23 gency, including information related to the na-
24 tional domestic violence hotline authorized

1 under section 313 of the Family Violence Pre-
2 vention and Services Act (42 U.S.C. 10413).

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

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

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

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

16 **SEC. 3. DEFINITIONS.**

17 In this Act:

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

22 (2) The term “COVID–19 public health emer-
23 gency” means the period beginning on the date on
24 which the emergency period under section
25 1135(g)(1)(B) of the Social Security Act (42 U.S.C.

1 1320b–5(g)(1) was declared and ending 90 days
2 after the date on which such period ends.

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

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

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

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

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