

117TH CONGRESS  
1ST SESSION

# H. R. 1034

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.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2021

Ms. WEXTON (for herself, Mr. JOYCE of Ohio, Mrs. BEATTY, Mr. COOPER, Mr. FITZPATRICK, Mrs. DEMINGS, Mrs. HINSON, Ms. NORTON, Mr. MCGOVERN, Mrs. CAROLYN B. MALONEY of New York, Mr. FOSTER, Ms. KUSTER, Mr. THOMPSON of Mississippi, Ms. SEWELL, Mr. SUOZZI, Mr. TAKANO, Mr. SIRES, Ms. WILD, Mr. CARSON, and Mr. HASTINGS) introduced the following bill; which was referred to the Committee on the Judiciary

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## 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, domestic violence stakeholders, and State, local,  
8 and tribal law enforcement stakeholders, shall issue guid-  
9 ance to Federal, State, local, and tribal law enforcement  
10 agencies which contain promising and model practices for  
11 addressing domestic violence and protecting the safety of  
12 law enforcement officers and all other parties involved,  
13 during the COVID-19 public health emergency. In issuing  
14 the guidance required under this subsection, the Attorney  
15 General shall—

16 (1) identify law enforcement-centered promising  
17 or model 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  
7            model 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;

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

23           (E) ensuring community coordinated re-  
24           sponses to domestic violence; and

25           (3) create a resource guide, including—

1 (A) the promising and model practices  
2 identified under paragraphs (1) and (2);

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

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

13 (D) educational resources on investigation  
14 and prosecutorial tools for law enforcement offi-  
15 cers responding to domestic violence;

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

22 (b) DISSEMINATION.—Not later than 30 days after  
23 the date of enactment of this Act, the Attorney General  
24 shall—

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

4           (2) make the guidance publicly available by  
5           posting the guidance electronically on the website of  
6           the Department of Justice;

7           (3) collaborate with the Secretary of Health  
8           and Human Services to make the guidance available  
9           on the website of the Department of Health and  
10          Human Services.

11          (c) EXTENSION.—The Attorney General may extend  
12          the deadlines under subsections (a) and (b), in the case  
13          that meeting such deadlines is impracticable. In the case  
14          that the Attorney General extends such a deadline pursu-  
15          ant to this subsection, the Attorney General shall notify  
16          Congress, which notification shall include a date before  
17          which the Attorney General will complete each such re-  
18          quirement.

19          **SEC. 3. DEFINITIONS.**

20          In this Act:

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

1           (2) The term “COVID–19 public health emer-  
2           gency” means the period beginning on the date on  
3           which the emergency period under section  
4           1135(g)(1)(B) of the Social Security Act (42 U.S.C.  
5           1320b–5(g)(1) was declared and ending 90 days  
6           after the date on which such period ends.

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

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

14          (5) The term “State” means each of the several  
15          States, the District of Columbia, the Commonwealth  
16          of Puerto Rico, Guam, American Samoa, the Virgin  
17          Islands, and the Northern Mariana Islands.

18          (6) The term “Federal law enforcement agen-  
19          cy” includes law enforcement agencies of the Armed  
20          Forces.

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