

1 **TITLE IX—VIOLENCE AGAINST**
2 **WOMEN EDUCATION, PRE-**
3 **VENTION, AND INTERVEN-**
4 **TION RESEARCH**

5 **SEC. 901. FINDINGS.**

6 The Violence Against Women Act of 1994 (42 U.S.C.
7 37966) is amended by adding at the end of that title the
8 following:

9 **“SEC. 901. FINDINGS.**

10 “(a) FINDINGS.—Congress finds the following:

11 “(1) According to a Panel on Research on Vio-
12 lence Against Women convened by the National Re-
13 search Council in response to the mandates by the
14 Violence Against Women Act of 1994—

15 “(A) significant gaps exist in understand-
16 ing the extent and causes of violence against
17 women and the impact and the effectiveness of
18 education, prevention, and interventions;

19 “(B) funding for research on violence
20 against women is spread across numerous Fed-
21 eral agencies with no mechanism through which
22 to coordinate these efforts or to link with other
23 federally sponsored research initiatives; and

24 “(C) research on violence against women
25 would benefit from an infrastructure that sup-

1 ports interdisciplinary efforts and aids in inte-
2 grating these efforts into practice and policy.

3 “(2) Despite the increased funding to prevent
4 and respond to violence against women in under-
5 served populations, few studies have examined inci-
6 dence and prevalence data from the perspective of
7 racial, ethnic, language, age, disability, and other
8 underserved populations. Moreover, little is known
9 about the types of education, prevention, and inter-
10 vention strategies that are most effective in under-
11 served populations.

12 “(3) Most studies currently focus on aspects of
13 domestic violence related to physical abuse. Few
14 studies explore the harm caused by emotional and
15 psychological abuse and the appropriate intervention
16 and preventions strategies for victims experiencing
17 this form of abuse.

18 “(4) Violence exposure as a risk factor for dis-
19 ease must be examined for a range of diseases and
20 diagnoses to better understand the correlation be-
21 tween violence and disease including intervening
22 variables.

23 “(5) Violence against women occurs within the
24 context of a sociocultural environment that should
25 be studied to assist in a greater understanding of

1 those factors that promote and maintain violence
2 against women and to provide a framework for de-
3 veloping and assessing education, prevention, and
4 intervention strategies.

5 **“SEC. 902. MULTI-AGENCY TASK FORCE.**

6 “(a) PURPOSES.—The Secretary of Health and
7 Human Services and the Attorney General shall establish
8 a multi-agency task force to coordinate research on vio-
9 lence against women. The task force shall comprise rep-
10 resentation from all Federal agencies that fund such re-
11 search.

12 “(b) USES OF FUNDS.—Funds appropriated under
13 this section shall be used to—

14 “(1) develop a coordinated strategy to strength-
15 en research focussed on education, prevention, and
16 intervention strategies on violence against women;

17 “(2) track and report on all Federal research
18 and expenditures on violence against women;

19 “(3) identify gaps in research and develop cri-
20 teria for all Federal agencies for evaluating research
21 proposals, taking into account the context within
22 which women live their lives, including the broad so-
23 cial and cultural context as well as individual fac-
24 tors; and

1 “(4) set priorities for research efforts that ex-
2 plore factors such as race, social, and economic
3 class, geographic location, age, language, sexual ori-
4 entation, disability, and other factors that shape the
5 context and experience of violence in women’s lives.

6 “(c) AUTHORIZATION OF APPROPRIATION.—There
7 shall be appropriated \$500,000 for each of fiscal years
8 1999, 2000, and 2001 to fulfill the purposes of this sec-
9 tion.

10 **“SEC. 903. EDUCATION, PREVENTION, AND INTERVENTION**
11 **RESEARCH GRANTS.**

12 “(a) PURPOSES.—The Department of Health and
13 Human Services in consultation with the Department of
14 Justice shall make grants to entities, including domestic
15 violence and sexual assault organizations, research organi-
16 zations, and academic institutions, to support research to
17 further the understanding of the causes of violent behavior
18 against women and to evaluate education, prevention, and
19 intervention programs.

20 “(b) USE OF FUNDS.—The research conducted under
21 this section shall include, but not be limited to the follow-
22 ing areas and others that may be identified by the Task
23 Force established under section 902 of this title—

24 “(1) longitudinal research to study the devel-
25 opmental trajectory of violent behavior against

1 women and the way such violence differs from other
2 violent behaviors;

3 “(2) examination of risk factors for sexual and
4 intimate partner violence for victims and perpetra-
5 tors, such as poverty, childhood victimization and
6 other traumas;

7 “(3) examination of short- and long-term ef-
8 forts of programs designed to prevent sexual and in-
9 timate partner violence;

10 “(4) outcome evaluations of interventions tar-
11 geted at children and teenagers;

12 “(5) examination of and documentation of the
13 processes and informal strategies women experience
14 in attempting to manage and end the violence in
15 their lives; and

16 “(6) development and testing of effective meth-
17 ods of screening and providing services at all points
18 of entry to the health care system, including mental
19 health, emergency medicine, and primary care.

20 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
21 shall be appropriated \$6,000,000 for each of the fiscal
22 years 1999, 2000, and 2001.

23 **“SEC. 904. ADDRESSING GAPS IN RESEARCH.**

24 “(a) PURPOSES.—The Department of Health and
25 Human Services and the Department of Justice shall

1 make grants to domestic violence and sexual assault orga-
2 nizations, research organizations and academic institu-
3 tions for the purpose of expanding knowledge about vio-
4 lence against women, with a particular emphasis on ex-
5 ploring such issues as they affect underserved commu-
6 nities.

7 “(b) USES OF FUNDS.—Funds appropriated under
8 this section shall be used to examine, but not be limited
9 to, the following areas—

10 “(1) development of national- and community-
11 level survey studies to measure the incidence and
12 prevalence of violence against women in underserved
13 populations and the definitions women use to de-
14 scribe their experience of violence;

15 “(2) qualitative and quantitative research to
16 understand how factors such as race, ethnicity, so-
17 cioeconomic status, age, language, disability, and
18 sexual orientation shape the context and experience
19 of violence in women’s lives, as well as the education,
20 prevention, and intervention strategies available to
21 women and girls;

22 “(3) study of violence against women as a risk
23 factor for diseases from a multivariate perspective;

24 “(4) examine the prevalence and dynamics of
25 emotional and psychological abuse, the effects on

1 women of such abuse, and the education, prevention,
2 and intervention strategies that are available to ad-
3 dress this type of abuse;

4 “(5) an examination of the need for and avail-
5 ability of legal assistance and services for victims of
6 sexual assault;

7 “(6) the use of nonjudicial alternative dispute
8 resolution (such as mediation, negotiation, concilia-
9 tion, and restorative justice models) in cases where
10 domestic violence is a factor, comparing nonjudicial
11 alternative dispute resolution and traditional judicial
12 methods based upon the quality of representation of
13 the victim, training of mediators or other
14 facilitators, satisfaction of the parties, and outcome
15 of the proceedings, as well as other factors that may
16 be identified;

17 “(7) the examination of effective models to ad-
18 dress domestic violence in child protective services
19 and child welfare agencies, including documenting
20 the scope of the problem, identifying the risk of
21 harm perpetrators of domestic violence pose to chil-
22 dren and pose to parents who are victims of domes-
23 tic violence, and examining effective models to ad-
24 dress domestic violence in the context of child wel-
25 fare and child protection that protect children while

1 protecting parents who are victims of domestic vio-
2 lence; and

3 “(8) other such research as may be determined
4 by the Task Force established under section 902 in
5 consultation with domestic violence and sexual as-
6 sault advocates, coalitions, national experts, and re-
7 searchers.

8 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
9 shall be appropriated \$4,500,000 for each of fiscal years
10 1999, 2000, and 2001 to carry out this section.

11 **“SEC. 905. STUDY.**

12 “The United States Sentencing Commission shall
13 study the following and report to the Congress—

14 “(1) sentences given to persons incarcerated in
15 Federal and State prison for assault or homicide
16 crimes in which the relationship to the victim was a
17 spouse, former spouse, or intimate partner;

18 “(2) the effect of illicit drugs and alcohol on do-
19 mestic violence and the sentences imposed for of-
20 fenses involving such illicit drugs and alcohol where
21 domestic violence occurred;

22 “(3) the extent to which acts of domestic vio-
23 lence committed against the defendant, including co-
24 ercion, may play a role in the commission of an of-
25 fense;

1 “(2) the degree to which State adoption, child
2 custody, visitation, child support, parental termi-
3 nation, and child welfare criminal justice laws and
4 policies serve the needs of women and girls who be-
5 come pregnant as a result of sexual assault;

6 “(3) the impact of State social services rules,
7 policies and procedures, such as paternity establish-
8 ment, family cap, medicaid and other health benefits
9 policies and procedures, on women and girls who be-
10 come pregnant as a result of sexual assault and on
11 those children born as a result of the sexual assault;

12 “(4) the availability of public or private legal,
13 medical, mental health, counseling, financial and
14 other forms of assistance to women and girls who
15 become pregnant as a result of sexual assault and to
16 the children born as a result of the sexual assault,
17 including the extent to which barriers exist in
18 accessing assistance for women and girls in particu-
19 lar racial, ethnic, language minority, or geographi-
20 cally isolated populations, or because of their
21 alienage status, disability, sexual orientation or in-
22 come level; and

23 “(5) recommendations for improvements in
24 State health care, judicial and social services sys-
25 tems to address the needs of women and girls who

1 any kind among the States and their effectiveness in pros-
2 ecuting crimes of rape and sexual assault offenses as fol-
3 lows:

4 “(1) Definitions of rape and sexual assault, in-
5 cluding any marital rape exception and any other ex-
6 ception or downgrading of offense.

7 “(2) Element of consent and coercive conduct,
8 including deceit.

9 “(3) Element of physical resistance and affirm-
10 ative nonconsent as a precondition for conviction.

11 “(4) Element of force, including penetration re-
12 quirement as aggravating factor and use of coercion.

13 “(5) Evidentiary matters—

14 “(A) inferences—timeliness of complaint
15 under the Model Penal Code;

16 “(B) post traumatic stress disorder (in-
17 cluding rape trauma syndrome) relevancy of
18 scope and admissibility;

19 “(C) rape shield laws—in camera evi-
20 dentiary determinations;

21 “(D) prior bad acts; and

22 “(E) corroboration requirement and cau-
23 tionary jury instructions.

24 “(6) Existence of special rules for rape and sex-
25 ual assault offenses.

1 “(7) Use of experts.

2 “(8) Sentencing—

3 “(A) plea bargains;

4 “(B) presentence reports;

5 “(C) recidivism and remorse;

6 “(D) adolescents;

7 “(E) psychological injuries;

8 “(F) gravity of crime and trauma to vic-
9 tim; and

10 “(G) race.

11 “(9) Any personal or professional relationship
12 between the perpetrator and the victim.

13 “(10) Any recommendations of the Attorney
14 General for reforms to foster uniformity among the
15 States in addressing rape and sexual assault of-
16 fenses in order to protect victims more effectively
17 while safeguarding due process.

18 “(c) DEFINITION.—For purposes of this section, the
19 term ‘rape and sexual assault offenses’ includes carnal
20 knowledge of a child, abduction with intent to defile, inde-
21 cent liberties, bestiality, forcible sodomy, sexual penetra-
22 tion with an animate or inanimate object, forced sexual
23 intercourse (labia majora penetration or anus penetra-
24 tion), cunnilingus, fellatio, anallingus, anal intercourse,
25 sexual battery, aggravated sexual battery, and sexual

1 abuse, accomplished by use of force, threats, or intima-
2 tion.

3 “(d) FINDINGS.—The Attorney General shall ensure
4 that no later than 1 year after the date of enactment of
5 this Act, the study required under subsection (a) is com-
6 pleted and a report describing the findings made is sub-
7 mitted to Congress.

8 “(e) AUTHORIZATION OF APPROPRIATION.—It is au-
9 thorized that \$200,000 be appropriated to carry out the
10 study required by this section.

11 **“SEC. 908. RESEARCH CENTERS.**

12 “The Department of Health and Human Services
13 and the Department of Justice shall establish 3 research
14 centers to support the development of research and train-
15 ing program to focus on violence against women, to pro-
16 vide mechanisms for collaboration between researchers
17 and practitioners, and to provide technical assistance for
18 integrating research into service provision. Each Center
19 shall be organized around a research area such as epidemi-
20 ology and measurement of violence against women, causes
21 and risk factors, and prevention and intervention evalua-
22 tion research. At least one of the centers shall be estab-
23 lished at an entity other than an academic institution.
24 There shall be appropriated \$3,000,000 for each of the

1 fiscal years 1999, 2000, and 2001 to carry out this sec-
2 tion.”.