

TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART I - CRIMES
CHAPTER 110A - DOMESTIC VIOLENCE AND STALKING

§ 2266. Definitions

In this chapter:

- (1) **Bodily injury.**— The term “bodily injury” means any act, except one done in self-defense, that results in physical injury or sexual abuse.
- (2) **Course of conduct.**— The term “course of conduct” means a pattern of conduct composed of 2 or more acts, evidencing a continuity of purpose.
- (3) **Enter or leave Indian country.**— The term “enter or leave Indian country” includes leaving the jurisdiction of 1 tribal government and entering the jurisdiction of another tribal government.
- (4) **Indian country.**— The term “Indian country” has the meaning stated in section 1151 of this title.
- (5) **Protection order.**— The term “protection order” includes—
 - (A) any injunction, restraining order, or any other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence, or contact or communication with or physical proximity to, another person, including any temporary or final order issued by a civil or criminal court whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection; and
 - (B) any support, child custody or visitation provisions, orders, remedies or relief issued as part of a protection order, restraining order, or injunction pursuant to State, tribal, territorial, or local law authorizing the issuance of protection orders, restraining orders, or injunctions for the protection of victims of domestic violence, sexual assault, dating violence, or stalking.
- (6) **Serious bodily injury.**— The term “serious bodily injury” has the meaning stated in section 2119 (2).
- (7) **Spouse or intimate partner.**— The term “spouse or intimate partner” includes—
 - (A) for purposes of—
 - (i) sections other than 2261A—
 - (I) a spouse or former spouse of the abuser, a person who shares a child in common with the abuser, and a person who cohabits or has cohabited as a spouse with the abuser; or
 - (II) a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship; and
 - (ii) section 2261A—
 - (I) a spouse or former spouse of the target of the stalking, a person who shares a child in common with the target of the stalking, and a person who cohabits or has cohabited as a spouse with the target of the stalking; or
 - (II) a person who is or has been in a social relationship of a romantic or intimate nature with the target of the stalking, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.¹
 - (B) any other person similarly situated to a spouse who is protected by the domestic or family violence laws of the State or tribal jurisdiction in which the injury occurred or where the victim resides.
- (8) **State.**— The term “State” includes a State of the United States, the District of Columbia, and a commonwealth, territory, or possession of the United States.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscp.html>).

(9) Travel in interstate or foreign commerce.— The term “travel in interstate or foreign commerce” does not include travel from 1 State to another by an individual who is a member of an Indian tribe and who remains at all times in the territory of the Indian tribe of which the individual is a member.

(10) Dating partner.— The term “dating partner” refers to a person who is or has been in a social relationship of a romantic or intimate nature with the abuser. The existence of such a relationship is based on a consideration of—

- (A) the length of the relationship; and
- (B) the type of relationship; and
- (C) the frequency of interaction between the persons involved in the relationship.

Footnotes

¹ So in original. The period probably should be “; and”.

(Added Pub. L. 103–322, title IV, § 40221(a), Sept. 13, 1994, 108 Stat. 1931; amended Pub. L. 106–386, div. B, title I, § 1107(d), Oct. 28, 2000, 114 Stat. 1499; Pub. L. 109–162, title I, §§ 106(d), 116 (b), Jan. 5, 2006, 119 Stat. 2982, 2988; Pub. L. 109–271, § 2(c), (i), Aug. 12, 2006, 120 Stat. 752.)

Amendments

2006—Par. (5). Pub. L. 109–162, § 106(d)(1), added par. (5) and struck out heading and text of former par. (5). Text read as follows: “The term ‘protection order’ includes any injunction or other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including any temporary or final order issued by a civil and criminal court (other than a support or child custody order issued pursuant to State divorce and child custody laws, except to the extent that such an order is entitled to full faith and credit under other Federal law) whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.”

Par. (7)(A). Pub. L. 109–162, § 106(d)(2), which directed amendment of cls. (i) and (ii) by substituting “2261A—

“(I) a spouse or former spouse of the abuser, a person who shares a child in common with the abuser, and a person who cohabits or has cohabited as a spouse with the abuser; or

“(II) a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship”

for “2261A, a spouse or former spouse of the abuser, a person who shares a child in common with the abuser, and a person who cohabits or has cohabited as a spouse with the abuser”, was executed only to cl. (i) to reflect the probable intent of Congress because the quoted language to be deleted does not appear in cl. (ii).

Par. (7)(A)(ii). Pub. L. 109–271, § 2(c), added cl. (ii) and struck out former cl. (ii) which read as follows: “section 2261A, a spouse or former spouse of the target of the stalking, a person who shares a child in common with the target of the stalking, and a person who cohabits or has cohabited as a spouse with the target of the stalking; and”.

Par. (10). Pub. L. 109–271, § 2(i), substituted “. The existence of such a relationship is” for “and the existence of such a relationship” in introductory provisions.

Pub. L. 109–162, § 116(b), added par. (10).

2000—Pub. L. 106–386 reenacted section catchline without change and amended text generally. Prior to amendment, text defined “bodily injury”, “Indian country”, “protection order”, “spouse or intimate partner”, “State”, and “travel across State lines”.