

NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES

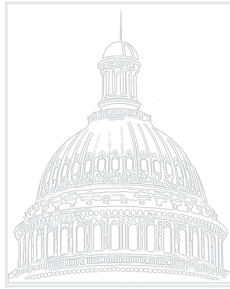
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FAMILY VIOLENCE

LEGISLATIVE UPDATE

National Council of Juvenile and Family Court Judges
Mari Kay Bickett, JD, Chief Executive Officer



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National Council of Juvenile and Family Court Judges
Family Violence and Domestic Relations Program

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FAMILY VIOLENCE
LEGISLATIVE UPDATE

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INTRODUCTION AND OVERVIEW

by Eryn Jane Branch

Throughout the year, the Family Violence and Domestic Relations Program of the National Council of Juvenile and Family Court Judges (NCJFCJ) conducts comprehensive legislative research and communicates directly with state domestic violence coalitions to collect information about successfully passed legislation that may impact victim safety, perpetrator accountability, the functioning of advocacy organizations, and the authority of the courts to address domestic violence.



We hope that, for national researchers, policy makers, and social change advocates, this national overview provides a clear sense of the nation's legislative trends. We intend for this to be a practical tool, at local and national levels. State residents may use these as a synthesis of statutory change in their areas of domestic violence practice. State policy makers on domestic violence may turn to these pages as a resource, observing the momentum and statutory ambition (or clarifying efforts) of their peers in other states.

New legislation represents, for most lawmakers, an effort to address areas of concern, to remedy statutory gaps, and to make the law better respond to the lived realities of domestic violence victims. As such, the 2012 legislative session reflects steadfast focus on enhanced victim safety, increased perpetrator accountability, and ambitious prevention efforts.

As in previous legislative years, 2012 saw a number of states address stalking and threatening behaviors by adding these behaviors to their domestic violence definitions (Alabama and Connecticut) and providing or enhancing protective order remedies for stalking victims (Colorado, Florida, Kansas, and Louisiana). Illinois passed several statutes that acknowledge the urgency of stalking no contact orders for victims by eliminating requirements for personal service of a stalking no contact order (allowing short form notification) and requiring law enforcement to inform the Department of Corrections within 48 hours of receiving a stalking no contact order. Utah chose to address the implications of stalking protective orders for family courts and custody orders by requiring that copies of criminal and ex parte stalking injunctions be filed in any action where custody and parenting time are being considered.

In 2010 and 2011, a new trend in legislation emerged when 14 states passed laws specific to the custody rights of military personnel facing deployment. Four states followed suit in 2012 (Connecticut, Indiana, New Hampshire, and Rhode Island). Generally speaking, these statutes provide military parents some assurances that their custodial rights will not be altered during their deployment and that their absences will not be determining factors in future decisions regarding custody. Rhode Island amended existing law to expedite court hearings on parental rights and responsibilities when deployment is imminent.

Finally, and consistent with a trend that gained real traction in the last few years, four states passed legislation to address adolescent relationship abuse by directing school districts to develop and implement responsive school policies and/or curricula for staff and students (Connecticut, Delaware, Illinois, and Oregon).

The following trends, emerging from the 2012 legislative session, are relevant to family violence:



Firearms

Six states supported amendments to their firearms statutes (California, Hawaii, Illinois, Louisiana, Nebraska, and Oregon), including a new emphasis on sharing information with victims about perpetrator access to weapons (California and Oregon). In addition, California and Hawaii now empowers their officers to seize firearms and ammunition if they have reasonable grounds to believe the firearms were used to threaten or harm a family member (Hawaii) or upon service of a protective order (California). Nebraska has included, among remedies available through a protective order, prohibiting the respondent from owning or purchasing firearms.

Custody and Visitation

Eight states (Arizona, Colorado, Connecticut, Illinois, Kansas, Louisiana, South Carolina, and Utah) passed statutes responding to the complicated role of the courts in making custody and parenting time determinations in the context of domestic violence. Arizona, South Carolina, and Utah amended and enacted statutes which clarify best interest factors for children (Arizona's amendment is primarily concerned with parents who deliberately

manipulate or delay the court). Connecticut now requires that written or oral reports submitted to the court as part of protection order proceedings include information about whether the involved parties have a case pending on the family relations docket.

Confidentiality

A large number of states supported passage of legislation protecting victim confidentiality. These include statutes that provide victim advocates privileged communication (Arizona and Georgia), expand protections around confidential address programs (New York and Washington), and impose confidentiality requirements for review boards, protection order registries, and courts (Florida, Maryland, Mississippi, New York, and Vermont). California amended its Civil Code to authorize the courts to refer victims to confidential counseling prior to finding them in contempt of court should they refuse to testify about the domestic violence crime in question. The District of Columbia, in tasking collaborative law attorneys with routine screening for domestic violence, clarified that there is no privilege for collaborative law communications if disclosure of domestic violence is reported to another agency.



Risk Assessment

Increasingly, states are asking court personnel to engage in risk assessments, the outcomes of which will guide practice. In Delaware and Maine, statutory changes require courts, parole and probation officers, and/or the Department of Corrections to administer objective or evidence-based risk and needs assessments and to use the results of these assessments in determining bail conditions, crafting case plans, and making sentencing recommendations. Kansas courts are empowered to order defendants into assessments conducted by a certified batterer intervention programs (BIP) and to require compliance with all recommendations made by the BIP. Wisconsin courts can request that the Department of Corrections complete a danger assessment for an individual prior to requiring that the respondent wear a global position system tracking device. And, in Florida, the assessment focus is in dependency courts, where child protective investigations are required to include safety assessments (as opposed to risk assessments).

Criminal History Checks

Though distinct from risk and needs assessment as defined by the courts above, 2012 also saw a rise in states that legislated the use of criminal background checks in the context of domestic violence to increase the safety of children in child welfare (Florida), foster care, or adoption (South Carolina), as well as the safety of adults in nursing homes and licensed home care (Virginia). Kansas amended their minimum requirements for applicants for police officers and law enforcement certification; applicants cannot have a domestic violence misdemeanor conviction or cannot have entered into a diversion agreement for the crime of domestic violence.



Other Legislative Trends

In addition to the significant trends noted above, states passed legislation in smaller, but consistent, patterns as they work to enhance safety and increase accountability in family violence cases. Five states (Kansas, Louisiana, Mississippi, North Carolina, and Tennessee) passed legislation enhancing statutes on batterer's intervention. While Mississippi gave the court the authority to withhold acceptance of a plea and sentencing until the defendant completed a BIP, North Carolina and Tennessee enhanced BIP communication with the court to assure either defendant compliance or sentencing.

Six states passed legislation which asserted the rights of victims in domestic violence court proceedings. Alaska adopted provisions so that victims are informed about prosecution delays or plea agreements. Colorado adopted provisions so that victims are informed about subpoenas for their own privileged records. Connecticut adopted provisions so that victims are informed about violations of protective orders if reported by the respondent's probation officer. Florida now allows victims who request automated notice of service of a protective order to request that their personal information be exempt from the public record. Hawaii and Indiana passed legislation requiring automated victim notification of any changes to their perpetrator's status or location.

In keeping with past trends and ongoing concern about the red flag that strangulation should raise for law enforcement and court officers, four states addressed strangulation in their legislation (Iowa, Maine, Rhode Island, and Tennessee).

Finally, we expect in coming years to see a number of states follow in the footsteps of Connecticut, Maine, and Maryland, whose statutes now call for domestic violence interventions that are either trauma informed or use evidence-based practices reflecting sensitivity to larger conversations in advocacy and criminal justice fields.



Our Appreciation

The NCJFCJ's Family Violence and Domestic Relations Program extends its heartfelt thanks to all the individuals and organizations who work to end domestic and family violence.

Although we have made every effort to ensure the accuracy of this publication, we receive new information regularly. Please accept our sincere apologies for errors and omissions. We would appreciate having these brought to our attention.

2012 STATE LEGISLATION*

STATE	DEFINITIONS	CRIMINAL PENALTIES AND PROCEDURES
ALABAMA		X
ALASKA		X
ARIZONA		X
ARKANSAS		
CALIFORNIA		X
COLORADO		X
CONNECTICUT	X	X
DELAWARE		X
DIST. OF COLUMBIA		
FLORIDA		X
GEORGIA		X
HAWAII		X
IDAHO		
ILLINOIS		X
INDIANA		
IOWA		X
KANSAS		X
KENTUCKY		
LOUISIANA		X
MAINE		X
MARYLAND		
MASSACHUSETTS		
MICHIGAN		
MINNESOTA		X
MISSISSIPPI	X	X
MISSOURI		X
MONTANA		

* This chart represents only legislation passed during the 2012 legislative sessions and includes some states' continuing efforts in these subject areas. It is not a cumulative chart and does not include laws enacted in prior legislative sessions.

2012 STATE LEGISLATION*

	FAMILIES AND CHILDREN	ORDERS FOR PROTECTION	PREVENTION AND TREATMENT	MISCELLANEOUS
	X			X
	X	X		X
	X			X
	X	X		X
	X			X
	X	X	X	X
				X
				X
	X	X		X
	X			X
	X	X	X	X
	X	X		X
		X		X
	X	X		X
		X		X
	X	X		X
	X			X

2012 STATE LEGISLATION*

STATE	DEFINITIONS	CRIMINAL PENALTIES AND PROCEDURES
NEBRASKA		
NEVADA		
NEW HAMPSHIRE		
NEW JERSEY		
NEW MEXICO		
NEW YORK		X
NORTH CAROLINA		X
NORTH DAKOTA		
OHIO		
OKLAHOMA		
OREGON		
PENNSYLVANIA		
RHODE ISLAND	X	X
SOUTH CAROLINA		X
SOUTH DAKOTA		X
TENNESSEE		X
TEXAS		
UTAH		X
VERMONT		X
VIRGINIA		
WASHINGTON		X
WEST VIRGINIA		
WISCONSIN		X
WYOMING		

* This chart represents only legislation passed during the 2012 legislative sessions and includes some states' continuing efforts in these subject areas. It is not a cumulative chart and does not include laws enacted in prior legislative sessions.

2012 STATE LEGISLATION*

	FAMILIES AND CHILDREN	ORDERS FOR PROTECTION	PREVENTION AND TREATMENT	MISCELLANEOUS
	X	X		X
	X			X
				X
				X
		X		
		X		X
	X			X
	X			
				X
	X	X		X
		X		X
				X
	X			X
		X	X	X
		X		X

2012 STATE LEGISLATIVE TRENDS*

STATE	ADOLESCENT PARTNER VIOLENCE	BATTERER INTERVENTION	CUSTODY AND MILITARY SERVICE	CUSTODY AND VISITATION
ALABAMA				
ALASKA				
ARIZONA				X
ARKANSAS				
CALIFORNIA				
COLORADO				X
CONNECTICUT	X		X	X
DELAWARE	X			
DIST. OF COLUMBIA				
FLORIDA				
GEORGIA				
HAWAII				
IDAHO				
ILLINOIS	X			X
INDIANA			X	
IOWA				
KANSAS		X		X
KENTUCKY				
LOUISIANA		X		X
MAINE				
MARYLAND				
MASSACHUSETTS				
MICHIGAN				
MINNESOTA				
MISSISSIPPI		X		
MISSOURI				
MONTANA				

* This chart represents legislation which was passed during the 2012 legislative sessions only and includes some states' continuing efforts in these subject areas. It is not a cumulative chart and does not include laws enacted in prior legislative sessions.

2012 STATE LEGISLATIVE TRENDS*

PROTECTION ORDER LEGISLATION	CONFIDENTIALITY	FIREARM PROHIBITIONS	RISK ASSESSMENT & CRIMINAL HISTORY CHECKS	VICTIM RIGHTS	STALKING	STRANGULATION
					X	
				X		
	X				X	
X	X	X				
X				X	X	
X				X	X	
			X			
	X					
X	X		X	X	X	
	X					
X		X		X	X	
X		X			X	
				X		
X			X			X
X			X		X	X
X	X					
X						
X						
X	X					
X						
X						

2012 STATE LEGISLATIVE TRENDS*

STATE	ADOLESCENT PARTNER VIOLENCE	BATTERER INTERVENTION	CUSTODY AND MILITARY SERVICE	CUSTODY AND VISITATION
NEBRASKA				
NEVADA				
NEW HAMPSHIRE			X	
NEW JERSEY				
NEW MEXICO				
NEW YORK				
NORTH CAROLINA		X		
NORTH DAKOTA				
OHIO				
OKLAHOMA				
OREGON	X			
PENNSYLVANIA				
RHODE ISLAND			X	
SOUTH CAROLINA				X
SOUTH DAKOTA				
TENNESSEE		X		
TEXAS				
UTAH				X
VERMONT				
VIRGINIA				
WASHINGTON				
WEST VIRGINIA				
WISCONSIN				
WYOMING				

* This chart represents legislation which was passed during the 2012 legislative sessions only and includes some states' continuing efforts in these subject areas. It is not a cumulative chart and does not include laws enacted in prior legislative sessions.

2012 STATE LEGISLATIVE TRENDS*

PROTECTION ORDER LEGISLATION	CONFIDENTIALITY	FIREARM PROHIBITIONS	RISK ASSESSMENT & CRIMINAL HISTORY CHECKS	VICTIM RIGHTS	STALKING	STRANGULATION
X		X				
X	X				X	X
X						
X						
X		X				
						X
			X			
						X
X					X	
X	X					
			X			
X	X					
X						
X			X			

ALABAMA



LEGISLATIVE SESSION:

Annual. The regular session convened on February 7, 2012 and adjourned May 16, 2012. The special session convened May 17, 2012 and adjourned May 24, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 13A-6-90.1 is amended to include as stalking situations where a person, who has been prohibited from contacting an individual, follows, harasses, or communicates with that individual, a member of that individual's family, or a third-party acquaintance of that individual.

**LEGISLATIVE SESSION:**

Annual. The regular session convened January 17, 2012 and adjourned April 16, 2012. The special session convened April 18, 2012 and adjourned April 30, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 12.61.010 is amended to require that the prosecution inform the victim, upon request, of any request for a continuance that may substantially delay prosecution; make a reasonable effort to confer with the victim concerning any proposed plea agreement; inform the victim of any pending motion that may substantially delay prosecution; and inform the court of the victim's position on the motion.



LEGISLATIVE SESSION:

Annual. The regular session convened January 10, 2012 and adjourned May 3, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 13-2916 is amended to prohibit the use of a wire line, cable, wireless or cellular telephone, text message, instant message, or electronic mail to terrify, intimidate, threaten, or harass a specific person or persons.

§ 8-409 is amended to prohibit a crime victim advocate from disclosing, as a witness or otherwise, any communication with victims, including records, notes, documents, correspondence, reports or memoranda that contain opinions, theories, or other information, unless the victim consents in writing to the disclosure.

§ 13-3601 is amended to require peace officers, who respond to a domestic violence call, to determine if a minor is present and, if so, conduct a child welfare check to determine if the child is safe and if the child may be a victim of domestic violence or child abuse.*

§ 31-281 is amended to add that an inmate convicted of a domestic violence offense is not eligible for the transition program.

FAMILIES AND CHILDREN:

§ 25-403 is amended to add as a factor for consideration under the best interest of the child standard whether one parent has intentionally misled the court in order to cause unnecessary delay, increase the cost of litigation, or persuade the court to give him or her a favorable legal decision-making or parenting time decision.

The chapter heading of title 25, chapter 4 is amended to read Legal Decision-Making and Parenting Time. All references to custody in this chapter are changed to legal decision making; all references to visitation are changed to parenting time.

§ 8-801 is amended to add to the definition of criminal conduct allegation, in the Dependent Children chapter, an offense that

involves domestic violence or that involves a minor who is a victim of or was in imminent danger during the domestic violence.*

§ 8-813 is amended to require the department of economic security (department), which employs child protective service workers, to determine that there are no court orders related to a criminal case that prohibit the parent or guardian from contact with the child before allowing contact.

§ 8-824 is amended to exempt the department from certain requirements of the preliminary protective hearing. The department does not have to include in its written report to the court a proposal for visitation with the child's parents or guardian and the results of any visitation that has occurred since removal in cases where there is a court order relating to a criminal case that prohibits the parent or guardian from contact with the child.

MISCELLANEOUS:

§ 25-415 is amended to allow the court to sanction individuals who make false claims or false denials to the court.

§ 14-2803 is amended to allow the estate of a homicide victim, who was killed by their spouse or parent, to secure the payment of all damages and judgments from the conduct that resulted in a criminal conviction. As such, the estate of the homicide victim can petition the court to establish a constructive trust on the property or estate of the killer, effective from the time of the act that caused the death.

§ 41-2814 is amended to give the director of juvenile corrections discretion to allow an employee who has been convicted of certain offenses, including domestic violence, to have direct contact with committed youth if the director finds that the employee is successfully rehabilitated. This section also is amended to add several factors for the director to consider when determining whether an employee is successfully rehabilitated.

* Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 4, 2012 and adjourned August 31, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 1203.097 of the Penal Code is amended to increase the fee defendants granted probation for a domestic violence crime are required to pay to \$500.00; require courts to state on the record why the fee was reduced or waived where courts find that the defendant cannot pay; and make a public employee's act or omission relating to the probation department's approval of a batterer's treatment program a discretionary act for which the employee cannot be held liable.

§ 1473.5 of the Penal Code is amended to allow the prosecution of a writ of habeas corpus where competent and substantial expert testimony relating to intimate partner battering and its effects were not introduced into evidence in the original trial and it is probable that the outcome would have been different had it been introduced.

§ 4801 of the Penal Code is amended to require the Board of Parole Hearings (Board) to consider evidence that, at the time of the crime, the prisoner had experienced intimate partner battering if that person was convicted of an offense that occurred prior to August 29, 1996 and requires the Board to give great weight to information or evidence of intimate partner battering at the time of the crime. This section also clarifies that the fact that a prisoner presented evidence of intimate partner battering cannot be used to support a finding that the prisoner lacks insight into his or her crime and its causes.

§ 136.2 of the Penal Code is amended to authorize a court, with jurisdiction over a criminal matter, to order electronic monitoring of the defendant when issuing a protective or restraining order to prevent harm, intimidation, or dissuasion of a victim or witness. Such monitoring can occur only if the local government adopts a policy to authorize electronic monitoring and to specify the agency with jurisdiction. The policy must be adopted with the concurrence of the county sheriff or the chief probation officer with jurisdiction.

The defendant is required to pay for the monitoring; however, if the court finds the defendant is unable to pay, the court can order the local government to pay the costs. The duration of electronic monitoring is limited to one year.

§ 1219 of the Code of Civil Procedure is amended to authorize courts to refer victims to a domestic violence counselor when a victim refuses to testify about the domestic violence crime and before finding the victim in contempt. It also makes all communications between the victim and counselor confidential.

§ 1387 of the Penal Code is amended to provide that an order terminating a domestic violence action does not bar further prosecution for the same domestic violence action where the termination was the result of the complaining witness being found in contempt of court for refusing to testify about the sexual assault or domestic violence crime. This applies only within six months of the dismissal of the original domestic violence action and can only be invoked once in each action.

§§ 243 and 836 of the Penal Code are amended to exclude peace officers from the requirement that the officer inform a victim of his or her right to make a citizen's arrest where the peace officer makes an arrest for battery against a spouse, a person with whom the defendant is cohabitating, a person who is the parent of the defendant's child, former spouse, fiancé, fiancée, or a person with whom the defendant has, or has previously had, a dating or engagement relationship.

§ 11106 is added to the Penal Code to require the Attorney General to maintain a firearms registry. This section allows police officers to disseminate information contained in the registry if certain conditions are met, including:

- the subject of the registry is the subject of an emergency protective order, a temporary restraining order, or an order, after a hearing, which is in effect and was issued by a family court under the Domestic Violence Protection Act;

- the information is disseminated only to the victim of the crime or to the person who obtained the emergency protective order, temporary restraining order, or order after a hearing; and
- the officer immediately provides the victim with a “Victims of Domestic Violence” card when the information authorized by this section is disseminated.

§ 273.5 of the Penal Code is amended to expand the definition of traumatic condition, for the purposes of the crime of willful infliction of corporal injury, to include strangulation and suffocation. Strangulation and suffocation are also defined in this section.*

FAMILIES AND CHILDREN:

§ 3200.5 of the Family Code is enacted to require that any standards for supervised visitation providers developed by the Judicial Council conform to this section. This section requires courts to consider whether to use a professional or non-professional supervised visitation provider in cases where the court determines there is domestic violence or child abuse/neglect and supervision is necessary. It also requires that non-professional providers have no record of conviction for crimes against a person and that professional providers be trained on domestic violence.

§ 2040 of the Family Code is amended to allow temporary restraining orders, issued when a dissolution or nullity of marriage or legal separation is filed, to restrain the parties from applying for a new or replacement passport for the minor child(ren) without prior consent of the other party or an order of the court.

§ 3134.5 of the Family Code is amended to allow courts to include, within the protective custody warrant to secure the recovery of an unlawfully detained or concealed child, an order to freeze the California assets of the party alleged to be in possession of the child.

§ 4324.5 is added to the Family Code to prohibit and require certain awards, in a dissolution of marriage proceeding, to a spouse convicted of a violent sexual felony against the other spouse. The court is prohibited from awarding spousal support to the convicted spouse; the court must order that the community assets pay for the

parties' attorneys' fees and costs; the court may, at the request of the injured party, make the date of legal separation the date of the incident giving rise to the conviction; and the injured spouse is entitled to 100 percent of the community property interest in the retirement and pension benefits of the injured spouse.

ORDERS FOR PROTECTION:

§ 6389 of the Family Code is amended to require law enforcement officers to request immediate surrender of firearms when the officer is serving a protective order that indicates the respondent possesses weapons or ammunition. It also requires a person ordered to relinquish firearms to file the receipt showing surrender to a local law enforcement agency or sale to a licensed gun dealer with both the court that issued the protective order and the law enforcement agency that served the protective order; failure to do so in a timely manner constitutes a violation of the protective order.

§ 2040 is amended to require a party seeking a temporary restraining order to provide information that allows the court to notify a biological parent that his or her child is residing in a home where a restraining order is sought.**

§ 6306 of the Family Code is amended to require courts to ensure that a search is or has been conducted to determine if the subject of a proposed protective order has a registered firearm prior to a hearing on the issuance or denial of the order.

§ 18250 of the Penal Code is amended to require law enforcement officers, who are serving protective orders, to take temporary custody of any firearm in plain sight or discovered pursuant to a consensual or other lawful search.

§§ 6345 of the Family Code and 213.5 of the Welfare and Institutions Code are amended to require that, prior to the expiration date specified in an order, a protected party be notified by personal service of an action filed to terminate or modify a protective order. If the protected party cannot be notified prior to the hearing for

termination or modification, the court must deny the motion or continue the hearing until the protected party can be notified. The court may, upon a showing of good cause, specify another method for service of process.*

MISCELLANEOUS:

§ 68122 is added to the Education Code to exempt students who are victims of trafficking, domestic violence, or other serious crimes and who have been granted a specified status under federal law from paying nonresident tuition at the California State University and the California Community Colleges.

§ 69504.5 is added to the Education Code to allow students who are victims of trafficking, domestic violence, or other serious crimes and who have been granted a specified status under federal law to apply for and participate in all student financial aid programs and scholarships administered by a public postsecondary educational institution or the State of California.

§ 76301 is added to the Education Code to require community college districts to waive the fees of a student who is a victim of trafficking, domestic violence, or other serious crimes and who has been granted a specified status under federal law.

§§ 1946.7 of the Civil Code and 1161.3 of the Code of Civil Procedure are amended to include protective orders among the documents victims of domestic violence may use to provide a landlord with notice to terminate a tenancy.

§ 6206 of the Government Code is amended to require victims of domestic violence or stalking to be domiciled in California in order to apply for the address confidentiality program. It also authorizes a minor participant, who turns 18 during his or her enrollment, to renew program participation as an adult.

* This is a 2011 amendment that was inadvertently omitted from Legislative Update Volume 17.

** Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 11, 2012 and adjourned May 9, 2012. The special session convened May 14, 2012 and adjourned May 16, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 18-3-602 is amended to require courts to issue a protection order on behalf of the victim when a person is arrested for the crime of stalking. It also requires any sentences imposed for violating a court order under this section, including protection orders and orders setting forth bond conditions, to be served consecutively and not concurrently.

§ 16-4-103 is amended to require alleged perpetrators of stalking to acknowledge a protection order as a condition in bail bond cases.

§ 18-1-1001 is amended to add stalking cases to those where the court is required to state the terms of the protection order to the defendant on the record and to require the defendant to acknowledge the protection order as a condition of any bond for the defendant's release. This section is further amended to add stalking cases to those where the prosecuting attorney may request a hearing before the court to modify the terms of the protection order issued. At any subsequent hearing, the court must review the terms of the protection order and any further orders entered, as well as modifications requested by the defendant and/or prosecuting attorney.

§ 13-25-129.5 is amended to make admissible, in any criminal, delinquency, or civil proceedings, out-of-court statements made by a person with a developmental disability that describe an act of domestic violence where certain conditions and circumstances are satisfied.

FAMILIES AND CHILDREN:

§ 14-10-128.1 is amended to give the courts discretion to consider, rather than require, the effect of any claim or documented evidence of domestic violence on the parents' ability to engage in parent coordination prior to appointing a parenting coordinator.*

MISCELLANEOUS:

§ 24-4.1-302.5 is amended to expand the rights afforded to victims of crime to include:

- the right to be heard at any court proceeding involving a subpoena for records concerning the victim's medical history, mental health, education, victim compensation, or any other privileged records;
- the right to request that the court arrange and provide the means for the victim and the victim's designee to give input to the court beyond a written victim statement where the victim or the victim's designee is unavailable;
- the right to confidentiality in criminal justice documents and records and with regard to the victim's address; and
- the right to be informed of the existence of a criminal protection order and, upon request of the victim, information about provisions that may be added or modified and how to do so.

* Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.



LEGISLATIVE SESSION:

Annual. The regular session convened on February 8, 2012 and adjourned May 9, 2012.

DEFINITIONS:

§ 46b-38a is amended to expand the definition of family violence to include stalking or a pattern of threatening between family or household members and to allow family or household members of any age to seek relief.

CRIMINAL PENALTIES AND PROCEDURES:

§ 54-1d is amended to authorize the prosecution of a defendant charged with a criminal violation of a protection order, by means of electronic or telephonic communication, in the geographic area where the victim resides, the victim received the communication, or the communication was initiated.

§ 53a-61aa is amended to expand the crime of threatening to include situations where a person commits threatening in the second degree and in so doing uses or is armed with and threatens the use of or displays or represents by words or conduct that such person possesses a pistol, revolver, shotgun, rifle, machine gun, or other firearm.

§ 53a-181d is amended to define course of conduct as two or more acts in which a person directly, indirectly, or through a third party, by an action, method, device, or means (1) follows, lies in wait for, monitors, observes, surveils, threatens, harasses, communicates with, or sends unwanted gifts to a person or (2) interferes with a person's property. It also clarifies that a person is guilty of stalking in the second degree when:

- such person knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for such person's physical safety or the physical safety of a third person; or
- such person, intentionally and for no legitimate purpose, engages in a course of conduct directed at a specific person that would

cause a reasonable person to fear that such person's employment, business, or career is threatened.

§ 54-142 is amended to allow the Judicial Branch to make an agreement to disclose non-conviction information to advocates for victims of family violence for the purpose of developing safety plans with victims and their children. However, the agreement must prohibit these advocates from disclosing the non-conviction information to any person, including the victim of domestic violence.

§ 46b-38b is amended to establish a model law enforcement policy on family violence (model policy) and to require that each law enforcement agency develop and implement specific operational guidelines for arrest policies in family violence incidents, which, at a minimum, meet the standards set forth in the model policy.

§ 46b-38b is further amended to expand the meaning of trauma-informed care for peace officers who inform victims of available services at the scene. Such definition includes services delivered by a regional family violence organization that employs or provides referrals to counselors who:

- make available to the victim of family violence resources on trauma exposure, its impact, and treatment;
- engage in efforts to strengthen the resilience and protective factors of victims of family violence who are impacted by and vulnerable to trauma;
- emphasize continuity of care and collaboration among organizations that provide services to children; and
- maintain professional relationships for referral and consultation purposes with programs and persons with expertise in trauma-informed care.

FAMILIES AND CHILDREN:

§ 46b-56e is added to anticipate and negotiate child custody orders with regard to military deployments. Specifically, courts:

- cannot enter a final order of custody or visitation or modify such an order until 90 days after the parent's deployment or mobilization ends;

- may enter temporary orders of custody or visitation that modify final orders during the parent’s deployment or mobilization upon motion of either parent; and
- cannot use the absence of a parent due to deployment or mobilization as the sole basis for making the temporary order a final order of custody and visitation.

§ 46b-59, concerning grandparent visitation rights and visitation rights of persons who have a parent-like relationship with the child, is amended to require courts to consider the effect on the child of any domestic violence that occurred between or among parents, grandparents, or persons seeking visitation.

ORDERS FOR PROTECTION:

§ 46b-15 is amended, for purposes of obtaining a protection order, to expand the definition of family violence to include a pattern of threatening by any family or household member. It also requires the clerk of court, upon the victim’s request, to send a copy of an ex parte order to the public or private elementary or secondary school, the vocational school, or the institution of higher education where the victim is enrolled, to the president of any institution of higher education at which the victim is enrolled, or to the special police force at such institutions.

§ 46b-38c is amended to require that written or oral reports to the court include whether the parties in the family violence case are parties to a case pending on the family relations docket; to require that the clerk of court, upon the victim’s request, send a copy of the protection order to the public or private elementary or secondary school, the vocational school, or the institution of higher education where the victim is enrolled, to the president of any institution of higher education at which the victim is enrolled, or to the special police force at such institutions; and to give the court discretion to order a defendant to attend a pretrial family violence education program when the offense involved infliction of serious physical injury.

§ 54-1k is amended to require the clerk of court, upon the victim's request, to send a copy of the protection order to the public or private elementary or secondary school, the vocational school, or the institution of higher education where the victim is enrolled, to the president of any institution of higher education at which the victim is enrolled, or to the special police force at such institutions.

MISCELLANEOUS:

§ 10a-55m is enacted to require institutions of higher education to adopt and disclose in the institution's annual uniform campus crime report one or more policies regarding sexual assault and intimate partner violence. It specifies what such a policy or policies should include. This section also requires each institution of higher education to offer all students sexual assault and intimate partner violence primary prevention and awareness programming that includes information about the definition of consent in sexual relationships, reporting assaults or violence, bystander intervention, and risk reduction.

§ 54-203 is amended to add, as a right of victims of crime, the right to receive notification from a probation officer whenever the officer has notified a police officer that there is probable cause to believe that the offender violated a condition of probation.

§ 54-216 is amended to allow the Office of Victim Services or a victim compensation commissioner to order that restitution services be provided to children who witness domestic violence and to those children who witness domestic violence, but who are not related to the victim.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 10, 2012 and adjourned on June 30, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

Title 11 § 2104 is amended to require courts, when determining whether to release a person on bail or recognizance or to impose bail conditions, to use an objective risk assessment instrument to gauge the person's risk of flight or re-arrest. It requires that the risk assessment instrument be responsive to the needs of victims of domestic violence and sexual assault.

Title 11 § 4321 is amended to require probation and parole officers to evaluate each person in their charge using objective risk and needs assessment instruments and to create case plans for those persons assessed as moderate- to high-risk that target the need factors identified by the assessment. This section also requires the Department of Corrections to make efforts to provide treatment and services responsive to the person's needs and characteristics and to undertake an assessment of the available community resources to meet the treatment and rehabilitation needs of the supervised population every three years.

Title 11 § 6531 is amended to require the Department of Corrections to evaluate each person incarcerated, to the extent possible, using an objective risk and needs assessment instrument; create a case plan for those persons assessed to be moderate- to high-risk that targets the need factors identified by the assessment; prioritize the provision of these evaluations according to the length of sentence and the severity of conduct giving rise to incarceration; and make efforts to provide treatment and services responsive to the person's needs and characteristics.

Title 11 § 4331 is amended to authorize courts to facilitate the sentencing of an offender by ordering the Investigative Services Office to administer an objective risk and needs assessment instrument and prepare a report for the court.

MISCELLANEOUS:

Title 14 § 4112E is enacted as the School Teen Dating Violence and Sexual Assault Act. It requires each school district and charter school serving grades 7-12 to establish policies for responding to teen dating violence and sexual assault and sets forth the minimum policy components; requires that school administrators, nurses, and counselors serving grades 7-12 receive training on these policies; and gives the Domestic Violence Coordinating Council the authority to review and advise on the implementation of these policies.

Title 13 § 2105 is amended to reduce the core number of domestic violence fatal incident review team members from eight to seven and to eliminate the requirement that a Department of Education representative serve as a mandatory member.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 2, 2012 and met throughout the year.

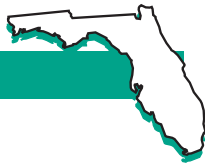
FAMILIES AND CHILDREN:

§§ 16-4001 through 16-4022 are enacted as the Uniform Collaborative Law Act (Act). The Act requires collaborative law attorneys to:

- make a reasonable inquiry about whether there is a history of a coercive or violent relationship before the prospective parties sign a collaborative law participation agreement;
- routinely and continuously assess for a history of a coercive or violent relationship throughout the process; and
- not begin or continue the collaborative law process where the attorney reasonably believes there is a history of a coercive or violent relationship, unless the party requests to begin or continue the process and the attorney reasonably believes that the safety of the party can be protected adequately during the process.

The Act also provides that there is no privilege for a collaborative law communication that is a disclosure in a report of suspected domestic violence to an appropriate agency.*

* Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 10, 2012 and adjourned on March 9, 2012. The special session convened March 14, 2012 and adjourned March 28, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 985.686 is amended to expand the term detention care to include respite beds for juveniles charged with a domestic violence crime.

§ 784.048 is amended to redefine the term credible threat to mean a verbal or nonverbal threat or a combination of the two, which includes threats delivered by electronic communication or implied by a pattern of conduct that places the targeted person in reasonable fear for his or her safety or the safety of his or her family members, and is made with the ability to carry out the threat. The present incarceration of the person making the threat is not a bar to prosecution. This section is further amended to require the sentencing court to consider issuing an order restraining the defendant from any contact with the victim. The restraining order can be valid for up to 10 years and can be issued even if the defendant is sentenced to state prison or county jail or placed on probation.

§ 784.0485 is added to create a cause of action for an injunction for protection against stalking, which also includes cyberstalking. Violations may be enforced through a civil or criminal contempt proceeding.

§ 784.0487 is added to create a cause of action for violation of an injunction for protection against stalking or cyberstalking.

FAMILIES AND CHILDREN:

§ 39.0138 is amended to require the Department of Children and Family Services (DCFS) to conduct a records check and a local and statewide criminal history records check on parents being considered by DCFS for placement of a child. It also allows DCFS to run a criminal history records check on all household members 18 years of age and older and other visitors to the home.

§ 39.301 is amended to require that:

- child protective investigations include an assessment of safety, rather than risk;
- the DCFS or the sheriff providing investigative services determine, based on the available information, whether immediate consultation should occur with a domestic violence shelter or advocate and whether joint response is necessary and feasible; and
- child protective service responders know how and when to use the injunction process to remove a perpetrator of domestic violence from the home as an intervention to protect the child.

§ 39.903 is amended to clarify the duties and functions of the DCFS to include:

- collaborating with the state domestic violence coalition to coordinate and administer statewide activities related to the prevention of domestic violence;
- renewing certification of domestic violence centers upon receipt of a favorable monitoring report by the coalition;
- authorizing DCFS to enter and inspect the premises of domestic violence centers that are applying for an initial certification or facing suspension or revocation of a certification;
- coordinating with state agencies that have health, education, or criminal justice responsibilities to raise awareness of domestic violence and promote consistent policy implementation;
- contracting with the coalition for the delivery and management of services for the state's domestic violence programs, including, the administration of contracts and grants; and
- developing criteria for the approval, suspension, or rejection of certification of domestic violence centers and developing minimum standards for domestic violence centers to ensure the health and safety of the clients in the centers.

§ 39.9035 is added to set forth the duties and functions of the state domestic violence coalition. These include implementing, administering, and evaluating all domestic violence services provided by the certified domestic violence centers; receiving, approving, or rejecting applications for funding of certified domestic

violence centers; evaluating certified domestic violence centers in order to determine compliance with minimum certification standards; and entering and inspecting the premises of certified domestic violence centers for monitoring purposes.

ORDERS FOR PROTECTION:

§§ 741.30 and 784.046 are amended to require that the court clerk apprise petitioners, who request an automated notification of service of an injunction for protection against domestic violence, of her or his right to request, in writing, that specified information be exempt from the public records requirement for five years. Such information includes home or employment telephone numbers, cellular telephone numbers, home or employment addresses, and electronic mail addresses.

§ 784.046 is amended to set forth the Legislature's finding of a public necessity that personal identifying and location information of victims of domestic violence, repeat violence, sexual violence, and dating violence held by court clerks and law enforcement agencies for purposes of the automated notification process be exempt from the public records request. It also sets forth the Legislature's reasoning for its finding.

PREVENTION AND TREATMENT:

§ 741.32 is amended to repeal the requirement that the Department of Children and Family Services certify and monitor batterers' intervention programs.

MISCELLANEOUS:

§ 413.208 is amended to require background screening of all service providers registered with the Division of Vocational Rehabilitation of the Department of Education and disqualifying individuals with histories that include an arrest for, a guilty finding of, or a guilty or nolo contendere plea of domestic violence.

§ 39.904 is amended to require the coalition to include, in its annual report to the Legislature on the status of domestic violence cases in the state, the incidence of domestic violence homicides in the state,

including information and data collected from state and local fatality review boards.

§ 741.316 is amended to reassign the domestic violence fatality review teams from the Department of Children and Family Services to the Florida Coalition Against Domestic Violence.

§ 960.198 is amended to deny relocation payments for domestic violence where the Department of Legal Affairs previously approved or paid out a sexual battery relocation claim to the same victim regarding the same incident.

§ 960.199 is created to provide relocation assistance for victims of sexual battery. It denies relocation payments for sexual battery where the Department of Legal Affairs previously approved or paid out a domestic violence relocation claim to the same victim for the same incident.



GEORGIA

LEGISLATIVE SESSION:

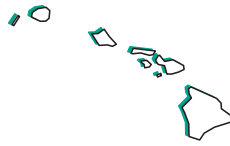
Annual. The regular session convened on January 9, 2012 and adjourned on March 29, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 24-5-503 is amended to prohibit a husband or wife from raising spousal privilege when the husband or wife is charged with a crime against his or her spouse; the husband or wife is charged with causing damage to property belonging to the husband and wife jointly or separately; or the alleged crime against the husband's or wife's current spouse occurred prior to the lawful marriage of the husband or wife.

MISCELLANEOUS:

§ 24-5-509 is added to create a privilege between family violence or sexual assault victims and agents providing services to such victims at family violence shelters or rape crisis centers. The privilege encompasses information that the agents acquire while providing services to the victim of family violence or sexual assault. Information can be disclosed if the privilege is waived by the victim or if a court orders disclosure after a hearing.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 18, 2012 and adjourned on May 3, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 586-4 is amended to add a mandatory 15-day prison term and a fine of \$150.00 - \$600.00 for a person with a prior conviction for abuse of a family or household member who is convicted of a first time offense for violating a temporary restraining order.

§ 708-893 is amended to expand the crime of use of a computer in the commission of a separate crime to include knowingly using a computer to pursue, surveil, contact, harass, annoy, or alarm a victim or intended victim of harassment or harassment by stalking.

§ 709-906 is amended to require police officers to order a person to leave the premises for 24-hours and have no contact with the family or household member when the officer has reasonable grounds to believe that there is danger of further physical abuse or harm being inflicted by the person asked to leave upon a family or household member. It also requires police officers to seize all firearms and ammunition that the officer has reasonable grounds to believe were used or threatened to be used to commit an offense against a family or household member.

MISCELLANEOUS:

§§ 353-A through 353-G are added to codify the Statewide Automated Victim Notification and Information System. This system allows registered victims to be notified via telephone, text message, or electronic mail of an offender's transfer or assignment to another facility; transfer to the custody of another agency outside the State; release or temporary leave; discharge; escape; upcoming parole hearings; and change in parole status, including a change to supervised status.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 11, 2012 and met throughout the year.

CRIMINAL PENALTIES AND PROCEDURES:

730 § 5/3-3-2 is amended to set forth who is eligible to apply to the Parole and Pardon Board (Board) for a certificate of eligibility to seal records. A person who was convicted of domestic battery, aggravated domestic battery, violation of an order of protection, or an offense involving a firearm may not apply to the Board for a certificate of eligibility for sealing of records.

720 § 5/12-3.4 is amended to make a violation of a protection order a felony where the defendant has any prior conviction in another state for an offense that could be charged in Illinois as a domestic battery or violation of an order of protection. It also provides that a defendant who directs a third party to violate an order of protection is guilty of violating this section.

725 § 5/115-7.4 is amended to make evidence of a defendant's commission of a prior domestic violence offense admissible in a criminal prosecution where the defendant is accused of first or second degree murder involving domestic violence.

730 § 5/5-6-3.3 is added to create the Offender Initiative Program (Program). Defendants who are arrested for and charged with domestic violence, domestic battery, violation of an order of protection, or stalking are not eligible for this Program.

FAMILIES AND CHILDREN:

750 § 5/607.1 is amended to allow courts to suspend a party's driving privileges where the party was held in contempt for violation of a visitation order, and the court found the party engaged in visitation abuse. The suspension lasts until the court determines the party is in compliance with the visitation order.*

ORDERS FOR PROTECTION:

725 § 5/112A-11.1 is added to set forth the procedure for determining whether certain misdemeanor crimes are crimes of domestic violence for purposes of the firearms prohibitions under federal law.

740 § 21/80 is amended to require courts to confiscate a respondent's Firearm Owner's Identification Card (Card) if a stalking no contact order prohibits the respondent from possessing a Card or possessing or buying firearms.

740 § 21/117 and 740 § 22/218.1 are added to allow short form notification, instead of personal service, of a stalking no contact order.

740 § 21/115, 740 § 22/218, 750 § 60/222, and 725 § 5/112A-22 are amended to require law enforcement officials to notify the Department of Corrections (DOC) within 48 hours of receiving a copy of a stalking no contact order, a civil no contact order, or an order of protection where the respondent is in the DOC's custody at the time the order is issued. Notice must include the respondent's name, inmate number, and date of birth and the LEADS record index number.

MISCELLANEOUS:

105 § 5/22-75 is added to create the Eradicate Domestic Violence Task Force (Task Force). The Task Force is charged with developing a statewide effective and feasible prevention course for high school students designed to prevent interpersonal adolescent violence.

740 § 45/6.1 is amended to expand the ways a victim of crime can meet the victim compensation requirements to include the act of obtaining a no stalking order.

*Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.

**LEGISLATIVE SESSION:**

Annual. The regular session convened on January 4, 2012 and adjourned on March 10, 2012.

FAMILIES AND CHILDREN:

§§ 31-14-13-6.1, 31-14-13-6.2, 31-17-2-21.1, and 31-17-2-21.2 are enacted to establish the procedures required for a parent who has received military temporary duty, deployment, or mobilization orders to request that the court delegate his or her parenting time to another person and for a court to grant such a request.

MISCELLANEOUS:

§ 11-8-7-2 is amended to require the Department of Corrections to establish an automated notification system that notifies a registered crime victim when an incarcerated offender, who committed a crime against the victim, has:

- a change in the expected date of release;
- a scheduled parole hearing;
- made a request for clemency or pardon consideration;
- been placed in a minimum security facility or work release program; or
- died during a period of incarceration.

The victim can also receive periodic status reports concerning the offender.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 9, 2012 and adjourned on May 9, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 236.12 is amended to require peace officers to arrest, with or without a warrant, a person whom the officer has probable cause to believe committed domestic abuse assault by strangulation.

§ 708.2A is amended to make domestic abuse assault by strangulation an aggravated misdemeanor and domestic abuse by strangulation that causes bodily injury a felony.

LEGISLATIVE SESSION:

Annual. The regular session convened on January 9, 2012 and adjourned on June 1, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 74-5605 is amended to require that applicants for police officer or law enforcement certification meet minimum requirements. One such requirement is that the applicant has not been convicted of a misdemeanor crime of domestic violence. For purposes of this section, conviction includes any diversion agreement entered into for a misdemeanor crime of domestic violence.

§ 74-5616 is amended to allow the Kansas Commission on Peace Officers' Standards and Training to revoke the certification of, remand, or censure a police officer or law enforcement officer who engaged in conduct which, if charged as a crime under Kansas law, would constitute a misdemeanor crime of domestic violence.

§ 12-4509 is amended to require municipal court judges to determine whether a defendant, who is convicted of a criminal offense, committed a domestic violence offense. If it is found that the defendant committed a domestic violence offense, special sentencing provisions apply.

§ 21-5414 is amended to allow courts to order that defendants undergo a domestic violence offender assessment conducted by a certified batterer intervention program (BIP) and to follow all recommendations made by such program. This assessment is required as a condition of any probation, suspension of sentence or parole, or any other release; the offender must follow all recommendations made by the BIP, unless otherwise ordered by the court or Department of Corrections.

§ 22-4616 is amended to require the trier of fact to determine whether the defendant committed a domestic violence offense in all criminal cases filed in municipal court where there is evidence that the defendant committed such an offense.

FAMILIES AND CHILDREN:

§ 38-2286 is enacted to allow a grandparent who requests custody to receive substantial consideration when a child is removed from the custody of a parent and not placed with the child's other parent. In determining whether to grant custody to the grandparents, the court must consider the intent and circumstances under which the child is placed with the grandparents, including whether domestic violence is a factor.

§ 23-3508 is amended to set forth the requirements for case managers of contested child custody or parenting time issues. One such requirement is that the individual complete a minimum number of continuing education hours on case management issues or abuse and control dynamic issues.

§ 23-3302 is amended to allow courts to consider repeated unreasonable denial of or interference with visitation rights or parenting time a material change in circumstance that justifies modification of an order granting or denying parenting time or visitation rights. It also allows any party to petition the court to modify any order granting visitation rights to require that the visitation exchange or transfer take place at a child exchange and visitation center.*

ORDERS FOR PROTECTION:

§ 60-3106 is amended to ensure the defendant's right to cross examine the petitioner's witnesses in protective order hearings.

§§ 60-3107 and 60-31a06 are amended to allow courts to extend a protective order and a protection from stalking order for two additional years and up to the lifetime of the defendant where the defendant has violated a valid protective order, has previously violated a valid protective order, or has been convicted of a felony, conspiracy, or criminal solicitation committed against the plaintiff or any member of the plaintiff's household.

§ 60-31a06 is amended to allow a plaintiff to request that a protection from abuse stalking order be extended for an additional year.

PREVENTION AND TREATMENT:

§ 75-7d01 is enacted to create a Batterer Intervention Program Certification Unit (BIP Unit) in the office of the Attorney General. The purpose of the BIP Unit is to certify and inspect batterer intervention programs in Kansas, and the investigations conducted by the BIP Unit are confidential.

MISCELLANEOUS:

§ 65-6608 is amended to expand the definition of licensed addiction counselor to include a person who engages in the practice of addiction counseling for the purposes of completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program.

* Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.

KENTUCKY



LEGISLATIVE SESSION:

Annual. The regular session convened on January 3, 2012 and adjourned on April 12, 2012. The special session convened on April 16, 2012 and adjourned on April 20, 2012.

MISCELLANEOUS:

§ 194A.540 is amended to require the Cabinet for Health and Family Services (Cabinet) to address child abuse, child neglect, domestic violence, rape, and sexual assault. This section also sets out the manner in which the Cabinet shall address these issues.



LEGISLATIVE SESSION:

Annual. The regular session convened on March 12, 2012 and adjourned on June 4, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 14:37.7 is amended to create the crime of domestic abuse aggravated assault, which is an assault with a dangerous weapon committed by one household member upon another household member. When the state proves that a minor child, 13 years of age or younger, was present at the residence or any other scene at the time of the commission of the assault, the mandatory minimum sentence is two years hard labor without parole, probation, or suspension of sentence.*

§ 14:40.2 is amended to allow a court to grant a protective order in stalking cases that directs the defendant to refrain from abusing or harassing the victim, interfering with the victim's employment, or being physically present within a certain distance of the victim. Such an order must be served on the defendant at the time of sentencing and may remain effective for a fixed period of time not to exceed 18 months or for an indefinite period.

§ 13:5401 is enacted to authorize district courts to establish a reentry division of the court that includes a workforce development sentencing program. Defendants who are before the court on a domestic violence offense are not eligible for the sentencing program.

§ 15:574.4 is amended to set forth conditions necessary for a person serving a sentence of life imprisonment, who was under the age of 18 at the time of the commission of the offense, to be eligible for parole consideration. One such condition is that the offender obtain a low-risk level designation as determined by a validated risk assessment instrument.

§ 14:35.3 is amended to require defendants convicted of a second domestic abuse battery offense to serve at least 14 days of the imposed sentence without benefit of parole, probation, or suspension

of sentence and to participate in a court-approved domestic abuse prevention program.

§ 14:37.4 is amended to clarify that aggravated assault with a firearm is an assault committed with a firearm.

Article 335.2 is added to the Louisiana Code of Criminal Procedure to set forth the conditions of release for a defendant who is alleged to have committed the crime of stalking. It requires that the court consider whether the defendant poses a threat or danger to the victim. If the court answers this in the affirmative, it shall:

- require, as a condition of bail, that the defendant refrain from going to the residence or household of the victim, the victim's school, and the victim's place of employment; contacting the victim in any manner whatsoever; and having any further contact with the victim; and
- have a uniform abuse prevention order prepared, sign such an order, and forward it to the court clerk who must file the order and transmit it to the Louisiana Protective Order Registry.

Article 334.4 is added to the Louisiana Code of Criminal Procedure to prohibit defendants arrested for violating a protective order from being released on their own recognizance.

FAMILIES AND CHILDREN:

§ 9:355.2 is amended to exempt persons from the requirements for relocating a child's residence if they have a dating violence order of protection.

§ 9:357 is added to require courts to consider ordering persons awarded custody or visitation to use technology, including video calling, telephone, text messaging, and Internet communication, to facilitate communication with the child when it is in the best interest of the child.*

ORDERS FOR PROTECTION:

§ 46:2136 is amended to allow a court, after a hearing, to issue a protective order of indefinite duration that directs the defendant to refrain from abusing, harassing, or interfering with the victim.

*Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 4, 2012 and adjourned on May 31, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

Title 15 § 1023 is amended to require courts, in cases involving domestic violence and prior to setting pre-conviction bail, to obtain from the arresting officer, the prosecutor's office, a jail employee, or other law enforcement the results of a validated, evidence-based domestic violence risk assessment recommended by the Maine Commission on Domestic and Sexual Abuse.*

Title 15 § 1026 is amended to require courts to consider information concerning a validated, evidence-based domestic violence risk assessment when setting bail.

Title 19-A § 4012 is amended to require law enforcement officers with reason to believe that a family or household member was abused to use all reasonable means to prevent further abuse. This includes administering a validated, evidence-based domestic violence risk assessment recommended by the Maine Commission on Domestic and Sexual Abuse. Officers must thereafter provide the assessment to the bail commissioner and the district attorney.

Title 25 § 2803-B is amended to require that:

- all law enforcement agencies adopt written policies regarding a process for the administration of a validated, evidence-based domestic violence risk assessment and the conveyance of results to the bail commissioner and district attorney;
- the Board of Trustees of the Maine Criminal Justice Academy establish minimum standards for each law enforcement policy regarding the use and submission of the results of validated, evidence-based domestic violence risk assessments no later than January 1, 2013; and
- the chief administrative officer of each law enforcement agency certify to the board that the agency has adopted written policies consistent with minimum standards regarding use and submission of the results of a validated, evidence-based domestic

violence risk assessment. The administrative officer is further required to certify orientation and training with respect to evidence-based domestic violence risk assessments no later than January 1, 2014.

Title 17-A § 1175-A is enacted to require, when an alleged crime involving domestic violence, sexual assault, or stalking has been committed, that:

- law enforcement officers obtain the victim's contact information and provide that information to the jail housing the defendant;
- the jail notify the victim of the defendant's release on bail no later than one hour after the release has occurred. This requirement applies even when the defendant is released on bail before being delivered to the jail;
- notification be made by a telephone call to the victim. If the jail fails to contact the victim after due diligence, notification of the defendant's release must be made to the law enforcement agency tasked with investigating the alleged crime and that agency must attempt to notify the victim of the defendant's release;
- the victim request, in writing, that the jail or arresting agency not notify him or her of the defendant's release;
- notification be made to the victim directly when the victim is an adult;
- notification be made to an adult who is the victim's parent or legal guardian or another immediate family member when the victim is a minor; and
- the minor victim be notified directly if the law enforcement agency reasonably believes this to be in the victim's best interest.

Title 15 § 1023 is amended to prohibit a bail commissioner from setting pre-conviction bail for a defendant charged with committing any of the following against a family or household member:

- a violation of a protection from abuse order;
- any Class A, B, or C sexual assault offense;
- kidnapping;
- criminal restraint;
- domestic violence stalking;
- domestic violence criminal threatening;

- domestic violence terrorizing; or
- domestic violence reckless conduct.

A bail commissioner is also prohibited from setting pre-conviction bail, in cases involving domestic violence, before making a good faith effort to obtain information about the severity of the alleged offense.

Title 15 § 1095 is amended to require that courts, following arrest for one of the domestic violence offenses specified above, order the defendant to be held without bail pending the bail revocation hearing, unless the court makes findings on the record that there are conditions of release that reasonably account for the ability of the defendant to not commit new crimes; assure the defendant's appearance at a designated time and place; and protect the safety of the community pending a bail revocation hearing.

Title 15 § 1097 is amended to require that the court deny bail when the alleged crime and the new conduct of the defendant involve domestic violence, unless it makes findings on the record that reasonably account for the ability of the defendant to not commit new crimes; assures the defendant's appearance at a designated time and place; and protects the safety of the community pending a bail revocation hearing.

Title 17-A § 208 is amended to include strangulation in the definition of "bodily injury to another under circumstances manifesting extreme indifference to human life."

Title 34-A § 5404 is amended to require a probation and parole or intensive supervision program officer to make a good faith effort to supplement current tools for domestic violence offenders with a validated, evidence-based domestic violence risk assessment; implement protocols to override risk assessment scores based on the presence of domestic violence risk factors that indicate a higher risk; and preclude these employees from liability for the administration of or failure to administrate the domestic violence assessment.

Title 17-A § 1201 is amended to preclude individuals from being eligible for a sentencing alternative that includes a period of probation, when the individual is convicted of violating a condition of release, which: (1) prohibits contact with the victim of the alleged crime, a potential witness, or other family or household members of the victim or (2) prohibits the possession of a firearm or other dangerous weapon.

Title 17-A § 15 is amended to allow a law enforcement officer to arrest, without a warrant, any person who the officer has probable cause to believe has committed or is committing domestic violence assault, domestic violence stalking, domestic violence reckless conduct, or violation of a protection order.

Title 5 § 4653 is amended to preclude victims of harassment from having to provide the defendant with a copy of the notice to stop harassing when the harassment is related to an allegation of domestic violence, violence against a dating partner, sexual assault, or stalking.

Title 5 § 4654 is amended to preclude plaintiffs from having to show that he or she obtained a copy of a notification issued against the other person where the alleged harassment is related to an allegation of domestic violence, violence against a dating partner, sexual assault, or stalking.

*Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 11, 2012 and adjourned on April 9, 2012. A special session convened on May 14, 2012 and adjourned on May 16, 2012. A second special session convened on August 9, 2012 and adjourned on August 15, 2012.

FAMILIES AND CHILDREN:

§ 8-101 is amended to:

- define evidence-based, for purposes of home visiting programs, as meeting the criteria for an evidence-based early childhood home visiting service delivery model as defined by the Federal Department of Health and Human Services (DHHS);
- define home visiting program as one that, among other things, targets participant outcomes, including reduction in crime or domestic violence and that includes program models identified in the home visiting evidence of effectiveness project of DHHS; and
- define promising as a home visitation program or practice that does not yet meet the standard for evidence-based practices and meets the criteria of a promising approach as defined by DHHS.*

§ 8-506 is enacted to require the state to fund only evidence-based and promising home visiting programs for improving parent and child outcomes.*

ORDERS FOR PROTECTION:

§ 3-1510 is amended to require the Maryland judiciary to completely remove from its website all information concerning court proceedings related to peace orders, including the name of the parties, case numbers, and any reference to the proceeding or any reference to the removal of the proceeding from the public website.

§§ 3-1503 and 4-504.1 are amended to:

- require that interim peace and protective orders state the time, date, and location of the temporary peace or protective order hearing and a tentative time, date, and location for the final peace or protective order hearing;

- require that the temporary peace or protective order hearing be held on the first or second day on which the judge is sitting after the issuance of the interim peace or protective order;
- make an interim peace or protective order effective until either the temporary peace or protective order hearing or the end of the second business day the office of the clerk is open following issuance of the interim order; and
- require that an interim peace or protective order remain in effect until the next day the court is open when the court is closed on the day the order expires.

§§ 3-1504 and 4-505 are amended to require that a temporary peace or protective order remain in effect until the next the day the court is open when the court is closed on the day the order expires.

§§ 3-1505 and 4-506 are amended to require that the temporary peace or protective order state the date and time of the final peace or protective order hearing and that the final peace or protective order hearing be held no later than seven days after the temporary peace or protective order is served on the respondent.

MISCELLANEOUS:

§ 8-105.1 is enacted to require that information provided to the Secretary of Labor, Licensing, and Regulation (Secretary), for the purpose of determining whether a claimant left employment as a result of domestic violence, be kept confidential and not be subject to disclosure to any party, except for specific purposes set forth in this section.

§ 8-611 is amended to prohibit the Secretary from charging unemployment benefits paid to a claimant against the employer when the claimant left employment for good cause directly attributable to the claimant or claimant's spouse, minor child, or parent being a victim of domestic violence.

§ 8-1001 is amended to add circumstances that constitute good cause for the purposes of the Secretary determining an individual is eligible to receive unemployment benefits. Good cause now includes circumstances where the cause for voluntarily leaving employment



is directly attributable to the employee's or the employee's spouse, minor child, or parent being a victim of domestic violence and the employee:

- reasonably believes continued employment would jeopardize the employee's safety or the safety of the employee's spouse, minor child, or parent; and
- provides an active or recently issued temporary protective order, a protective order, any other court order documenting the domestic violence, or a police record documenting recent domestic violence to the Secretary to substantiate the domestic violence.

* Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.



MASSACHUSETTS

LEGISLATIVE SESSION:

Annual. The regular session convened on January 4, 2012 and met throughout the year.

ORDERS FOR PROTECTION:

Title 209A § 11 is amended to allow a court to order the possession, care, or control of animals owned by either party or a minor child to the plaintiff or petitioner for a domestic relations, child custody, or domestic abuse temporary restraining order or preliminary or permanent injunction. The court may also order the defendant to refrain from abusing, threatening, taking, interfering with, transferring, encumbering, harming, or otherwise disposing of such animal.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 11, 2012 and met throughout the year.

MISCELLANEOUS:

§ 600.1200 through 600.1212 are enacted to create a veteran's treatment court that has jurisdiction, provided certain conditions are met, to hear domestic violence offenses.

§ 333.17015 is amended to establish the requirements for both a notice statement and screening tools on coercion to abort that include, among other things:

- notices in English, Arabic, and Spanish that contain a statement that it is illegal to coerce a woman to have an abortion, that help is available if a woman is being threatened or intimidated, physically, emotionally, or sexually harmed or feels afraid, and the telephone number of at least one domestic violence and one sexual assault hotline;
- prescreening summaries on prevention of coercion to abort that notify the patient that a verbal screening for coercion to abort will be conducted before she consents to an abortion;
- training tools and materials that instruct the physician to verbally communicate information to the patient regarding coercion to abort and to document the findings from the coercion to abort screening in the patient's medical file; and
- protocols for physicians to follow when a patient discloses coercion to abort, domestic violence, or both during the screening that require assessing the patient's current level of danger, exploring safety options, providing referral information to the patient for law enforcement and domestic violence and sexual assault support organizations, and documenting any referrals in the patient's medical file.

§ 333.17015a is enacted to require physicians who work at facilities where abortions are performed to verbally screen patients for coercion to abort using the screening tools developed under § 333.17015.



MINNESOTA

LEGISLATIVE SESSION:

Annual. The regular session convened on January 24, 2012 and adjourned May 9, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 609.02 is amended to make female genital mutilation a qualified domestic violence-related offense.

FAMILIES AND CHILDREN:

§ 260C.212 is amended to allow parents to request that a social services agency not place a child with a relative due to safety reasons, including past family or domestic violence, and to allow the agency to disclose this information to the court.

ORDERS FOR PROTECTION:

§ 609.748 is amended to allow an application for a harassment restraining order to be filed in either party's county of residence or in the county where the alleged harassment occurred. It also clarifies that residency requirements do not apply to a petition for a harassment restraining order.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 3, 2012 and adjourned May 3, 2012.

DEFINITIONS:

§ 97-3-7 is amended to expand the definition of domestic violence to include a simple assault committed against a parent, grandparent, child, grandchild, or someone similarly situated to the defendant.

CRIMINAL PENALTIES AND PROCEDURES:

§ 93-21-21 is amended to allow courts to hold a person in contempt who knowingly violates a protection order or court-approved consent agreement or a bond condition. It also requires law enforcement to use the Uniform Offense Report when investigating allegations of violation; however, failure to use this report is not a defense to the crimes charged. Courts are also required to enter convictions for violation of a domestic abuse prevention order into the corresponding Uniform Offense Report.

§ 99-5-37 is amended to:

- require that bail not be granted until a person arrested for aggravated domestic violence, aggravated stalking, a knowing violation of a condition of bond, or a knowing violation of an order issued by a foreign court for the purpose of protecting a person from domestic abuse appears before a judge;
- allow judges to impose a holding period not to exceed 24 hours on the arrested person;
- require courts to enter bond conditions into the Uniform Offense Report;
- require courts to provide a copy of the written notice of conditions to the victim upon request; and
- allow law enforcement to make a warrantless arrest, within 24 hours of a violation of any bond conditions imposed, if there is probable cause to believe a violation occurred.

§ 99-5-11 is amended to require courts to check the statewide protection order registry for the existence of a domestic abuse

protection order against the accused before ordering bail in cases where the accused committed an offense against:

- a current or former spouse or child of such person;
- a person living as a spouse or who formerly lived as a spouse or a child of such person;
- a parent, grandparent, child, grandchild, or someone similarly situated to the accused;
- a person who has a current or former dating relationship with the accused; or
- a person with whom the accused has had a biological or legally adopted child.

§ 99-15-26 is amended to authorize courts to withhold acceptance of a guilty plea and sentence for misdemeanor or aggravated domestic violence pending completion of conditions imposed by the court, including successful completion of a program designed to bring about the cessation of domestic abuse.

ORDERS FOR PROTECTION:

§ 93-21-5 is amended to make venue for an order of protection proceeding proper in any county or municipality where the respondent resides or where the alleged abusive act or acts occurred.

§ 93-21-7 is amended to clarify that chancery courts cannot prohibit the filing of a petition for a domestic abuse protection order that does not seek emergency relief on the basis that the petitioner did not first seek or obtain temporary relief in another court. It also clarifies that this section does not require chancery courts to consider emergency relief and does not preclude chancery courts from entering an order of emergency relief.

§ 93-21-13 is amended to require courts to use standardized forms in protection order proceedings by July 1, 2015; to clarify that it is not a defense, in any criminal prosecution or contempt proceeding, that the order was not issued on the standardized form; and to require courts to enter protection orders into the Mississippi Protection Order Registry upon issuance and to provide a copy to the sheriff's department.

§ 93-21-15 is amended to clarify that courts may order, in a final domestic abuse prevention order, that the respondent go to counseling or seek treatment designed to bring about the cessation of domestic abuse.

§ 93-21-25 is amended to:

- require that the Attorney General's office implement policies and procedures governing access to the statewide registry for protection orders by authorized users, including provisions addressing the confidentiality of any information that may reveal the location or identity of a victim of domestic abuse;
- require court clerks to enter all domestic abuse protection orders, including any modifications, amendments, or dismissals of such orders, into the statewide registry within 24 hours of issuance with no exceptions for weekends or holidays;
- require court clerks to send a separate copy of any order issued to the Sheriff's department, which may be provided in electronic format;
- require the automatic transmission of the order to the National Criminal Information Center Protection Order File; and
- clarify that failure to enter the order into the statewide registry or to provide a copy of the order to law enforcement has no effect on the validity or enforcement of the order.

§ 93-22-9 is amended to clarify that foreign protection orders do not have to be registered in Mississippi and that not registering an order has no effect on its validity or enforceability by law enforcement or courts.

MISCELLANEOUS:

§ 99-47-1 is amended to expand the definition of domestic violence, for the purpose of the address confidentiality program, to include acts committed against:

- a person living as a spouse or who formerly lived as a spouse or a child of such persons;
- a parent, grandparent, child, grandchild, or someone similarly situated to the defendant; or



MISSISSIPPI

- a person with whom the defendant has a biological or legally adopted child in common.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 4, 2012 and adjourned on May 30, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 565.072 is amended to expand the crime of domestic assault in the first degree to include attempting to kill or knowingly causing or attempting to cause serious physical injury to any child who is a member of the family or household.

§§ 565.073 and 565.074 are amended to expand the crimes of domestic assault in the second and third degree to include acts against any child who is a member of the family or household.

§ 217.703 is enacted to set forth the Division of Probation and Parole procedures for awarding earned compliance credits to offenders. Offenders who committed aggravated stalking are not eligible for earned compliance credits. For offenders placed on probation, parole, or conditional release for a domestic assault offense, the sentencing court may find that the offender is ineligible to earn compliance credits because the nature and circumstances of the offense or the history and character of the offender indicate that a longer term of probation, parole, or conditional release is necessary for the protection of the public or the guidance of the offender.

§ 559.036 is amended to authorize courts to find that a domestic assault offender is not eligible for placement in one of the Department of Corrections' 128-day programs.

FAMILIES AND CHILDREN:

§ 210.036 is amended to prohibit persons responding to or investigating a child abuse and neglect claim from calling, prior to a home visit, or leaving documentation of any attempted visit when the person has a reasonable basis to believe the family has a history of domestic violence or fleeing the community.

LEGISLATIVE SESSION:

Annual. The regular session convened on January 4, 2012 and adjourned on April 18, 2012.

FAMILIES AND CHILDREN:

§ 28-728 is amended to require that child abuse and neglect investigation teams (teams) have protocols that outline what cases will be reviewed by the team, including cases involving serious or ongoing domestic violence.

ORDERS FOR PROTECTION:

§ 28-311.09 is amended to presume notice under certain circumstances. Where a respondent is present at a hearing on a petition for a harassment protection order and the order is not dismissed, the respondent is deemed to have notice, by virtue of attending the hearing, that the order will be granted and remain in effect and further service is not required. The same is true for cases where the respondent is properly served with an ex parte order and fails to appear at the hearing; the temporary order is deemed granted, remains in effect, and the service of the ex parte order satisfies the notice requirement.

§ 42-903 is amended to expand the definition of abuse, for purposes of the Protection from Domestic Abuse Act, to include placing, by means of a credible threat, another person in fear of bodily injury. This section also adds a definition for credible threat.

§ 42-924 is amended to allow a court to issue a protection order, which includes a provision that prohibits the respondent from possessing or purchasing a firearm.

§ 42-925 is amended to clarify that if an ex parte order is used, it is a temporary order. It requires the court to provide the respondent with notice of the petition and to serve the respondent with a form to request a show-cause hearing. If the respondent wants to appear and show cause why the order should not remain in effect, the respondent must provide a current address and telephone number, sign the form, and return it to the clerk within five days after service. The court

must immediately schedule the hearing within 30 days after receipt of the hearing request. If the respondent has been properly served with the ex parte order and fails to appear at the show-cause hearing, the temporary order is affirmed and service of the ex parte order is deemed notice of the final protection order.

§ 42-926 is amended to provide that when the respondent was present at a show-cause hearing on an ex parte order and the order was not dismissed, the respondent is deemed to have notice, by virtue of attending the hearing, that the order will be granted and remain in effect and that further notice is not required for purposes of prosecution.

MISCELLANEOUS:

§ 43-4208 is enacted to create the Title IV-E Demonstration Project Committee (Committee). One of the Committee's responsibilities is to create an implementation plan that addresses the options for developing a program to identify and address domestic violence that endangers children and results in the placement of children in foster care.



NEW HAMPSHIRE

LEGISLATIVE SESSION:

Annual. The regular session convened on January 4, 2012 and adjourned on July 1, 2012.

FAMILIES AND CHILDREN:

§§ 458-E:1 through 458-E:9 are enacted as the Military Parent's Right Act that establishes the parental rights and responsibilities of parents who are absent due to military service.

MISCELLANEOUS:

§ 135:17-b is amended to define violent crime, for purposes related to the civil commitment of persons found incompetent to stand trial, to include violation of a protective order, stalking, assault, criminal threatening involving the use of a deadly weapon, and felonious use of firearms.



LEGISLATIVE SESSION:

Annual. The regular session convened January 10, 2012 and met throughout the year.

MISCELLANEOUS:

§ 8A:7B–12 is amended to require the state to pay for a child’s school tuition costs when the child has resided in a domestic violence shelter or transitional living facility located outside of the child’s district of residence for more than one year.

§ 18A:7B–12.1 is amended to require the state to pay for a homeless child’s school tuition costs when the child has resided in a domestic violence shelter or transitional living facility located outside of the child’s district of residence for more than one year.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 4, 2012 and met throughout the year.

CRIMINAL PENALTIES AND PROCEDURES:

§ 510.30 of the Criminal Procedure Law is amended to add factors for the court to consider when determining whether to grant an application for recognizance or bail. When an applicant is charged with a crime against a family or household member, the court must consider the applicant's violation of any protection orders issued to protect these family or household members, and the applicant's history of use or possession of firearms.

§ 240.75 of the Penal Law is enacted to create the crime of aggravated family offense, which occurs when an individual commits certain specified offenses and has been convicted of such an offense within the last five years. Specified offenses include, but are not limited to, assault, menacing, reckless endangerment, stalking, strangulation, rape, sexual abuse, unlawful imprisonment, coercion, burglary, criminal mischief, criminal contempt, criminal tampering, harassment, or any of the foregoing offenses committed by the defendant against a member of the same family or household.

§ 200.63 of the Criminal Procedure Law is enacted to require that an indictment or information for a person charged with the commission or attempted commission of an aggravated family offense be accompanied by a special information. The special information should allege that the defendant was previously convicted of a specified offense; at the time of the offense the defendant and victim were members of the same family or household; and the previous conviction was within the last five years. Subject to certain exceptions, the special information cannot be referred to at trial.

§ 240.30 of the Penal Code is amended to expand the crime of aggravated assault in the second degree to include circumstances where a person strikes, shoves, kicks, or otherwise subjects another person to physical contact that causes physical injury to such person or to a family or household member of such person.



MISCELLANEOUS:

§ 4201 of the Public Health Law is amended to prohibit a person from controlling the disposition of a decedent's remains where an order of protection was issued against that person on behalf of the decedent.

§ 108 of the Executive Law is amended to require, in an application for the address confidentiality program, the name of any person who resides with the applicant who also needs to be a program participant to ensure the safety of the applicant.

§ 575 of the Executive Law is enacted to establish a fatality review team to analyze, in conjunction with local representation, domestic violence-related deaths or near deaths of individuals.

§ 2612 of the Insurance Law is amended to require health insurers to accommodate reasonable requests, by an insured person, to receive communications about claims by alternative means or at alternative locations. To be eligible, the person must clearly state that disclosure of all or part of the claim related information could endanger the person.

§ 459-b of the Social Services Law is amended to extend the maximum amount of days victims of domestic violence may stay in residential programs from 135 days to 180 days.



NORTH CAROLINA

LEGISLATIVE SESSION:

Annual. The regular session convened on January 4, 2012 and adjourned July 3, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 15A-1343 is amended to require that:

- defendants attending an abuser treatment program (program) abide by all of the program rules;
- programs report to the court if a defendant is discharged for failure to comply with the program or its rules;
- probation officers forward a copy of the judgment, including all conditions of probation, to the program;
- programs notify the probation officer of any violations of program rules by the defendant; and
- courts schedule a compliance review hearing, in cases where the defendant is placed on unsupervised probation and is required to attend and complete a program, within 60 days of judgment and every 60 days thereafter until the defendant completes the program.

ORDERS FOR PROTECTION:

§ 50B-2(c) is amended to limit the number of continuances for a hearing on ex parte domestic violence orders to one 10-day extension, unless all parties consent or good cause is shown. This hearing is given priority on the court's calendar.



LEGISLATIVE SESSION:

Annual. The regular session convened on February 6, 2012 and adjourned May 25, 2012.

ORDERS FOR PROTECTION:

§ 60.4 is amended to allow courts to increase the length of time of a protection order from three to five years. It also allows courts to issue continuous protective orders where the court finds the person has a history of violating protective orders, the person has previously been convicted of a felony offense, or the person has a previous felony conviction for stalking. In addition, the court may take into account whether the person has a history of domestic violence when determining whether a continuous protective order is warranted.

LEGISLATIVE SESSION:

Annual. The regular session convened on February 1, 2012 and adjourned March 5, 2012.

ORDERS FOR PROTECTION:

§§ 192.410 through 192.505 are amended to prohibit a public body from disclosing records or information that identifies a person as a current or former holder of or applicant for a concealed hand gun license. However, a public body may do so if:

- the disclosure is limited to confirming or denying that an individual convicted of a crime against a person or restrained by a protective order is a current holder of a concealed handgun license; and
- the disclosure is made to the victim of the crime or the person who is protected by the protective order in response to a request for disclosure that provides the public body with the name and age of the person convicted of the crime or restrained by the protective order.

MISCELLANEOUS:

Chapter 69, Section 1 is enacted to require each school board to adopt a policy that:

- states teen dating violence is unacceptable and is prohibited;
- states each student has the right to a safe learning environment;
- incorporates age-appropriate education about teen dating violence into new or existing programs for students in grades 7-12 and school employees;
- establishes procedures for how school employees are to respond to teen dating violence incidents that happen at school or on school grounds;
- identifies the school officials who are responsible for receiving reports related to teen dating violence; and
- notifies students and parents of the teen dating violence policy adopted by the board.

§§ 147.450 and 409.920 are amended to add a definition for teen dating violence. It is defined as (1) a pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse

to control another individual who is in a dating relationship with the person, where one or both people are 13-19 years old or (2) behavior by which a person uses or threatens to use sexual violence against another individual who is in a dating relationship with the person.

§ 147.353 is amended to allow monies in the Oregon Domestic and Sexual Violence Services Fund to be used to carry out programs that encourage and support services, programs, and curricula to educate and inform students in grades 7-12 about teen dating violence.

§ 419B.005 is amended to exclude, from the definition for employee of a public or private organization providing child-related services or activities, those community-based, non-profit organizations whose primary purpose is to provide confidential, direct services to victims of domestic violence, sexual assault, stalking, or human trafficking.



RHODE ISLAND

LEGISLATIVE SESSION:

Annual. The regular session convened on January 3, 2012 and adjourned June 13, 2012.

DEFINITIONS:

§ 12-29-2 is amended to add domestic assault by strangulation to the definition of domestic violence.

CRIMINAL PENALTIES AND PROCEDURES:

§ 11-5-2.3 is amended to create the crime of domestic assault by strangulation, which occurs where a person commits an assault, battery, or both, by strangulation on a family or household member. It is punishable by imprisonment for not more than 10 years.

FAMILIES AND CHILDREN:

§ 15-5-16 is amended to allow the court to expedite hearings on parental rights and responsibilities or parent-child contact when deployment or mobilization of a parent is imminent and there is no existing order establishing these rights, responsibilities, and contacts.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 11, 2012 and adjourned on November 12, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 16-32-2080 is enacted to:

- make it a misdemeanor crime for a person to maliciously, or with criminal negligence, publish, disseminate, or disclose the location of a domestic violence shelter without the shelter's authorization;
- make it a misdemeanor crime for a person charged with or convicted of trafficking in persons to enter or remain on the grounds of a domestic violence shelter in which the victim resides or the domestic violence shelter's administrative offices;
- require domestic violence shelters to post signs at the shelter and administrative offices, which, at a minimum, read "NO TRESPASSING – VIOLATORS WILL BE SUBJECT TO CRIMINAL PENALTIES;" and
- require that violators of this section be fined \$3,000.00, imprisoned for not more than three years, or both; however, if the person is in possession of a dangerous weapon at the time of the violation, it is a felony that is punishable by a fine of not more than \$5,000.00, imprisonment for up to five years, or both.

FAMILIES AND CHILDREN:

§ 16-15-240 is enacted to set forth the best interest of the child factors a court must consider when determining whether to issue or modify a child custody order. Such factors include, but are not limited to,:

- the manipulation by or coercive behavior of the parents in an effort to involve the child in the parents' dispute;*
- whether one parent has perpetrated domestic violence or child abuse or the effect on the child of the actions of an abuser if any domestic violence has occurred between the parents, a parent and another individual, or the parent and child; and
- whether one parent has relocated more than 100 miles from the child's primary residence in the last year, unless the parent relocated for safety reasons.

SOUTH CAROLINA

Article 2 is added to Chapter 15, Title 63 to create the South Carolina Family Court Study Committee (Committee) to study the feasibility of tracking the outcomes of contested custody proceedings and to provide for the Committee's membership, staffing, and reporting.

§ 63-7-2340 is amended to require applicants seeking licensure as foster parents, applicants for adoption placement, and persons 18 years old or older who are living in a home with either of these applicants to undergo fingerprinting to determine any state or other criminal history.

§ 63-7-2350 is amended to prohibit the Department of Social Services from placing a child in foster care or for adoption with a person when the person(s) has pled guilty or nolo contendere to or has been convicted of criminal domestic violence or criminal domestic violence of a high and aggravated nature.

*Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.

SOUTH DAKOTA



LEGISLATIVE SESSION:

Annual. The regular session convened on January 10, 2012 and adjourned on March 19, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 25-10-41 is amended to allow courts to order a defendant to post bond as a condition of release if doing so is reasonably necessary to protect the alleged victim of domestic violence.

§§ 26-10-33 through 26-10-35 are enacted to establish the elements of the offense of juvenile sexting, provide the penalties for this offense, and set forth the defenses for this offense.



TENNESSEE

LEGISLATIVE SESSION:

Annual. The regular session convened on January 10, 2012 and adjourned May 1, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 39-13-111 is amended to:

- set forth the punishment for first, second, and third convictions of domestic assault;
- allow judges to order a defendant to complete a batterer's intervention program (BIP), certified by the domestic violence state coordinating council, as part of the defendant's alternative sentencing for violation of this section;
- allow judges to order completion of non-certified BIPs only if no certified program is available in the sentencing county;
- require judges to order a defendant to attend the full term of the BIP;
- make the defendant's knowing failure to complete the BIP a violation of the defendant's alternative sentencing program; and
- allow judges to revoke a defendant's participation in the BIP and order execution of sentence.

§ 40-32-101 is amended to allow individuals to petition the court to have their criminal history expunged. Individuals convicted of domestic assault, violation of a protective or restraining order, possession of a firearm while an order of protection was in effect, and stalking are not eligible to petition for expungement.

MISCELLANEOUS:

§ 41-7-106 is amended to require the Tennessee Corrections Institute to establish criteria by which to determine when it is appropriate to waive the minimum qualification standards to employ a jail administrator, workhouse administrator, jailer, corrections officer, or guard in a county jail or a workhouse. However, such a waiver is explicitly prohibited for employees convicted of domestic assault.

TENNESSEE

§ 38-1-101 is amended to exclude hospitals from the requirement to report injuries resulting from violence to law enforcement when the person seeking treatment (1) is 18 years of age or older; (2) objects to the release of information to law enforcement; and (3) is a victim of a sexual assault or domestic abuse offense. This reporting exception does not apply if the injuries are considered life threatening or are the result of strangulation, a knife, a pistol, a gun, or another deadly weapon.

LEGISLATIVE SESSION:

Annual. The regular session convened on January 23, 2012 and adjourned March 8, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 76-5-304 is amended to create the offense of unlawful detention of a minor. This offense occurs when:

- a person intentionally and knowingly, without the authority of law and against the will of the victim, coerces or exerts influence over the victim with the intent to cause the victim to remain with the person for an unreasonable period of time under the circumstances;
- the act is not kidnapping; and
- the person is at least four or more years older than the victim.

§ 77-36-1 is amended, for purposes of the Cohabitant Abuse Procedures Act under the Criminal Code, to expand the definition of domestic violence to include unlawful detention of a minor.

FAMILIES AND CHILDREN:

§ 30-3-10.1 is amended to create a rebuttable presumption that joint legal custody is in the best interest of the child,* except in cases where there is domestic violence in the home or in the presence of the child.

§ 62A-4a-201 is amended to authorize the Division of Child and Family Services (Division) to return a child to the child's parent, when safe and appropriate, in circumstances where the Division took custody of the child because of an immediate threat to the child's safety or welfare.

§ 62A-4a-105 is amended to require that the Division of Child and Family Services provide domestic violence services to minors and families and provide protective services to victims of domestic violence and their families.

ORDERS FOR PROTECTION:

§§ 76-5-106.5 and 77-3A-101 are amended to authorize courts to consider provisions, in permanent criminal stalking injunctions

and ex parte civil stalking injunctions, that address the defendant's/respondent's custody and parent time rights while ensuring the safety of the victim and any minor children. If either of these injunctions are issued without addressing the custody and parent-time issues, copies of the injunctions must be filed in any action where custody and parent-time issues are being considered.

MISCELLANEOUS:

§ 31A-21-501 is amended, for purposes of domestic violence or child abuse insurance practices under the Insurance Code, to expand the definition of domestic violence to include unlawful detention of a minor.

* Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.



VERMONT

LEGISLATIVE SESSION:

Annual. The regular session convened on January 3, 2012 and adjourned May 22, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

Title 13 § 7602 is enacted to allow a person convicted of violating a protection order to request expungement or sealing of the criminal history record related to the conviction if certain conditions are met.*

ORDERS FOR PROTECTION:

Title 20 § 609 is enacted to allow a stay of civil or criminal proceedings because of service in the Vermont National Guard. This does not apply to proceedings involving relief from abuse orders, orders against stalking or sexual assault, or abuse prevention orders for vulnerable adults.

MISCELLANEOUS:

Title 13 § 5360 is amended to make all documents reviewed by the Victims Compensation Board (Board), for purposes of approving an application for compensation, confidential. The victim's residential address, telephone number, other contact information, and Social Security number is confidential and must be redacted by the Board for any purpose, including restitution. This list of confidential information is expanded for cases involving stalking, sexual offenses, and domestic violence to include the name, telephone number, address, and other contact information of the victim's employer and the victim's medical or mental health provider.

Title 13 § 7043 is amended to exempt from discovery, for purposes of restitution, medical and mental health records submitted to the Board, unless there is a court order or the victim consents.

Title 33 § 5103 is amended to extend the family division's jurisdiction over a child adjudicated delinquent for up to six months beyond the child's 18th birthday if the offense that the child was

VERMONT



adjudicated delinquent for is violation of a protection order, and the child was 17 years old when he or she committed the offense.

* Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.



VIRGINIA

LEGISLATIVE SESSION:

Annual. The regular session convened on January 11, 2012 and adjourned on March 10, 2012. The special session convened on March 10, 2012 and adjourned on May 15, 2012.

MISCELLANEOUS:

§§ 32.1-126.01, 32.1-162.9:1, 37.2-341, 37.2-408.1, and 63.2-1726 are amended to prohibit licensed nursing homes, licensed home care organizations, the Department of Behavioral Health and Developmental Services, and children's residential facilities regulated or operated by the Departments of Education, Behavioral Health and Developmental Services, Military Affairs, or Social Services from hiring an employee or volunteer who was convicted of or is the subject of pending charges for a felony violation of a protective order.

§ 63.2-1530 is amended to require certain information be included in the Virginia Child Protection Accountability System and made available to the public in print format and via a website maintained by the State Department of Social Services. Required specifically is information by locality on family abuse cases, including the number of family abuse emergency protective orders issued by magistrates and juvenile and domestic relations district courts; the number of family abuse protective petitions filed; and the number of family abuse protective orders issued.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 9, 2012 and adjourned on March 8, 2012. A special session convened on March 12, 2012 and adjourned on April 10, 2012. A second special session convened on April 11, 2012 and adjourned on April 11, 2012.

CRIMINAL PENALTIES AND PROCEDURES:

§ 10.99.040 is amended to allow courts to issue or extend a no contact order when the defendant fails to appear at arraignment as long as the court finds probable cause to do so.

FAMILIES AND CHILDREN:

§ 26.09.13 is amended to prohibit courts, in cases where the court made a finding of domestic violence or child abuse, from requiring a victim of domestic violence or a custodial parent of a victim of child abuse to disclose to the other party the name, location, or address of the victim's residence, employer, or school at an initial hearing; require courts to carefully weigh the safety interests of the victim before issuing orders that would require this information disclosed in future hearings; and require courts to provide the party alleging domestic violence or child abuse with the opportunity to prove the allegations before ordering disclosure of information regarding the name, location, or address of a victim's residence, employer, or school.

MISCELLANEOUS:

§ 26.12 is amended to require the completion of certain requirements before a court can order disclosure of information protected by the address confidentiality program.

§ 25.50.250 is enacted to prohibit courts or administrative bodies from compelling any person or domestic violence program to disclose the name, address, or location of any domestic violence program, including a shelter or transitional housing facility location, in any civil or criminal case or administrative proceeding. Disclosure of this information may be ordered if a court finds by clear and convincing evidence that disclosure is necessary for the

implementation of justice and after consideration of safety and confidentiality concerns of the parties and other residents of the domestic violence program and of other alternatives to disclosure that would protect the interests of the parties.

§ 26.50.800 is enacted to require the Washington State Institute for Public Policy (Institute) to conduct a statewide study to assess recidivism by domestic violence offenders involved in the criminal justice system, examine effective community supervision practices of domestic violence offenders as it relates to the Institute's findings on evidence-based community supervision, and assess domestic violence perpetrator treatment.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 11, 2012 and adjourned March 16, 2012. A special session convened and adjourned on March 16, 2012.

ORDERS FOR PROTECTION:

§ 48-27-311 is amended to allow a protective order to be served via publication when personal service by law enforcement has been unsuccessful. It requires that the respondent be served with the protective order and the order of publication by first class mail simultaneously with the publication.

§ 48-27-502 is amended to require courts to include a provision in protective orders that prohibits the respondent from possessing any firearm or ammunition.

PREVENTION AND TREATMENT:

§ 49-5D-3c is added to set forth the multi-disciplinary treatment planning process for status offenders or delinquents. The treatment team must include domestic violence service providers.

§ 49-5D-3b is added to set forth the multi-disciplinary treatment planning process for child abuse and neglect cases. The treatment team must include domestic violence service providers.

MISCELLANEOUS:

§ 48-27-1101 is amended to require that the rules of practice and procedure for domestic violence civil proceedings promulgated by the West Virginia Supreme Court of Appeals govern the pleadings, practice, and procedures in domestic violence matters.

§ 48-27-301 is amended to authorize the Supreme Court of Appeals to utilize existing judicial officers and resources to establish and implement a pilot domestic violence court.

§ 51-2A-2 is amended to clarify the jurisdiction of the pilot domestic violence court.



LEGISLATIVE SESSION:

Annual. The regular session convened on January 10, 2012 and met throughout the year.

CRIMINAL PENALTIES AND PROCEDURES:

§ 939.621 is added to define domestic abuse repeater as (1) a person who commits domestic abuse during the 72 hours immediately following an arrest for a domestic abuse incident or (2) a person who was convicted twice of felony or misdemeanor domestic abuse during the 10-year period immediately prior to the commission of the crime for which the person is presently being sentenced.

§ 973.017 is amended to make the commission of domestic abuse in the presence of a child an aggravating factor that the court must consider when determining the sentence of the domestic abuse perpetrator.*

§ 973.06 is amended to exempt defendants who recant allegations of interspousal battery or domestic abuse and defendants who are victims of interspousal battery and domestic abuse from bearing the costs associated with omitted or false information provided during the course of the investigation into the crime committed against him or her.

ORDERS FOR PROTECTION:

§ 301.49 is enacted to establish global positioning system (GPS) tracking for persons who violate domestic abuse and harassment restraining orders.

§ 813.129 is enacted to authorize courts to report violations of domestic abuse and harassment restraining orders to the Department of Corrections immediately upon conviction and to order the person to submit to GPS tracking. It also allows the court to request that the Department of Corrections provide a validated risk assessment of the person or that a domestic violence prevention or treatment center complete a danger assessment of the person in order to aid the court in making the requisite findings for ordering participation in GPS tracking. If the court orders a person to participate in GPS tracking,

it must provide the petitioner with a referral to a domestic violence or sexual assault victim service provider.

MISCELLANEOUS:

§ 253.10 is amended to require physicians to inform women of services for individuals at risk of domestic abuse and to provide private access to a telephone when the physician has reason to suspect that the woman is in danger of being physically harmed by anyone coercing her to consent to an abortion against her will.

§ 786.37 is amended to exempt petitioners for name changes from publishing notice of the petition if they can show by a preponderance of the evidence that the publication will endanger him or her.

* Some domestic violence experts recommend working within the parameters of existing law rather than enacting new legislation that, when implemented, may have dangerous unintended consequences and ramifications for domestic violence victims and their children.

STATE DOMESTIC VIOLENCE COALITIONS

Alabama Coalition Against Domestic Violence

PO Box 4762
Montgomery, Alabama 36101
Phone: (334) 832-4842
Hotline: (800) 650-6522
Fax: (334) 832-4803
Email: info@acadv.org
Website: www.acadv.org

Alaska Network on Domestic Violence and Sexual Assault

130 Seward St., Suite 214
Juneau, Alaska 99801
Phone: (907) 586-3650
Fax: (907) 463-4493
Email: andvsa@andvsa.org
Website: www.andvsa.org

Arizona Coalition Against Domestic Violence

2800 N. Central Ave.
Suite 1570
Phoenix, Arizona 85004
Phone: (602) 279-2900
Hotline: (800) 782-6400
TTY: (602) 279-7270
Fax: (602) 279-2980
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Website: www.azcadv.org

Arkansas Coalition Against Domestic Violence

1401 W. Capitol Ave., Suite 170
Little Rock, Arkansas 72201
Phone: (501) 907-5612
Toll-Free: (800) 269-4668
Fax: (501) 907-5618
Email: acadv@domesticpeace.com
Website: www.domesticpeace.com

California Partnership to End Domestic Violence

PO Box 1798
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Phone: (916) 444-7163
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Fax: (916) 444-7165
Email: info@cpedv.org
Website: www.cpedv.org

Colorado Coalition Against Domestic Violence

1120 Lincoln St., Suite 900
Denver, Colorado 80203
Phone: (303) 831-9632
Toll Free: (888) 778-7091
Fax: (303) 832-7067
Website: www.ccadv.org

Connecticut Coalition Against Domestic Violence

912 Silas Deane Hwy., Lower Level
Wethersfield, Connecticut 06109
Phone: (860) 282-7899
Toll Free: (800) 281-1481
Fax: (860) 282-7892
Email: contactus@ctcadv.org
Website: www.ctcadv.org

Delaware Coalition Against Domestic Violence

100 W. 10th St., Suite 903
Wilmington, Delaware 19801
Phone: (302) 658-2958
Fax: (302) 658-5049
Email: dcadvadmin@dcadv.org
Website: www.dcadv.org

STATE DOMESTIC VIOLENCE COALITIONS

District of Columbia Coalition Against Domestic Violence

5 Thomas Circle NW
Washington, District of Columbia 20005
Phone: (202) 299-1181
Fax: (202) 299-1193
Email: info@dccadv.org
Website: www.dccadv.org

Florida Coalition Against Domestic Violence

425 Office Plaza Dr.
Tallahassee, Florida 32301
Phone: (850) 425-2749
Hotline: (800) 500-1119
TDD: (800) 621-4202
Fax: (850) 425-3091
Website: www.fcadv.org

Georgia Coalition Against Domestic Violence

114 New St., Suite B
Decatur, Georgia 30030
Phone: (404) 209-0280
Hotline: (800) 33-HAVEN
Fax: (404) 766-3800
Email: info@gcadv.org
Website: www.gcadv.org

Guam Coalition Against Sexual Assault and Family Violence

PO Box 1093
Hagatna, Guam 96932
Phone: (671) 479-2277
Fax: (671) 479-7233
Email: info@guamcoalition.org
Website: www.guamcoalition.org

Hawaii State Coalition Against Domestic Violence

810 Richards St.
Suite 960
Honolulu, Hawaii 96813
Phone: (808) 832-9316
Fax: (808) 841-6028
Website: www.hscadv.org

Idaho Coalition Against Sexual and Domestic Violence

300 E. Mallard Dr., Suite 130
Boise, Idaho 83706
Phone: (208) 384-0419
Hotline: (888) 293-6118
Fax: (208) 331-0687
Email: info@engagingvoices.org
Website: www.idvsa.org

Illinois Coalition Against Domestic Violence

801 S. 11th St.
Springfield, Illinois 62703
Phone: (217) 789-2830
TTY: (217) 241-0376
Fax: (217) 789-1939
Email: ilcadv@ilcadv.org
Website: www.ilcadv.org

Indiana Coalition Against Domestic Violence

1915 W. 18th St., Suite B
Indianapolis, Indiana 46202
Phone: (317) 917-3685 or
(800) 538-3393
Hotline: (800) 332-7385
Fax: (317) 917-3695
Email: icadv@icadvinc.org
Website: www.icadvinc.org

STATE DOMESTIC VIOLENCE COALITIONS

Iowa Coalition Against Domestic Violence

515 28th St.
Des Moines, Iowa 50312
Phone: (515) 244-8028
Hotline: (800) 942-0333
TTY: (800) 942-0333
Fax: (515) 244-7417
Email: icadv@icadv.org
Website: www.icadv.org

Kansas Coalition Against Sexual and Domestic Violence

634 S.W. Harrison
Topeka, Kansas 66603
Voice/TTY: (785) 232-9784
Hotline: (888) 363-2287
Fax: (785) 266-1874
Website: www.ksadv.org

Kentucky Domestic Violence Association

111 Darby Shire Circle
Frankfort, Kentucky 40601
Phone: (502) 209-5382
Fax: (502) 226-5382
Email: info@kdva.org
Website: www.kdva.org

Louisiana Coalition Against Domestic Violence

PO Box 77308
Baton Rouge, Louisiana 70879-7308
Phone: (225) 752-1296
Hotline: (888) 411-1333
Fax: (225) 751-8927
Website: www.lcadv.org

Maine Coalition to End Domestic Violence

104 Sewall St.
Augusta, Maine 04330
Phone: (207) 430-8334
Fax: (207) 430-8348
Email: info@mcedv.org
Website: www.mcedv.org

Maryland Network Against Domestic Violence

4601 Presidents Dr., Suite 370
Lanham, Maryland 20706
Phone: (301) 429-3601
Hotline: (800) MD-HELPS
Fax: (301) 429-3605
Email: info@mnadv.org
Website: www.mnadv.org

Jane Doe Inc.

Massachusetts Coalition Against Sexual Assault and Domestic Violence

14 Beacon St., Suite 507
Boston, Massachusetts 02108
Phone: (617) 248-0922
Hotline: (877) 785-2020
TTY/TDD: (617) 263-2200
Fax: (617) 248-0902
Email: info@janedoe.org
Website: www.janedoe.org

Michigan Coalition Against Domestic Violence

3893 Okemos Rd., Suite B-2
Okemos, Michigan 48864
Phone: (517) 347-7000
TTY: (517) 381-8470
Fax: (517) 347-1377
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Website: www.mcadsv.org

STATE DOMESTIC VIOLENCE COALITIONS

Minnesota Coalition for Battered Women

60 E. Plato Blvd., Suite 130
St. Paul, Minnesota 55107
Voice/TDD: (651) 646-6177
Toll-Free: (800) 289-6177
Hotline: (651) 646-6177
Fax: (651) 646-1527
Website: www.mcbw.org

Mississippi Coalition Against Domestic Violence

PO Box 4703
Jackson, Mississippi 39296
Phone: (601) 981-9196
Hotline: (800) 898-3234
(800) 799-7233 (after hours)
Fax: (601) 981-2501
Website: www.mcadv.org

Missouri Coalition Against Domestic and Sexual Violence

217 Oscar Dr., Suite A
Jefferson City, Missouri 65101
Phone: (573) 634-4161
Toll-Free: (888) 666-1911
Fax: (573) 636-3728
Email: mocadsv@mocadsv.org
Website: www.mocadsv.org

Montana Coalition Against Domestic and Sexual Violence

PO Box 818
Helena, Montana 59624
Phone: (406) 443-7794
Toll-Free: (888) 404-7794
Fax: (406) 443-7818
Email: mtcoalition@mcadsv.com
Website: www.mcadsv.com

Nebraska Domestic Violence Sexual Assault Coalition

245 South 84th St., Suite 200
Lincoln, Nebraska 68510
Phone: (402) 476-6256
Hotline: (800) 876-6238
Fax: (402) 476-6806
Email: info@ndvsac.org
Website: www.ndvsac.org

Nevada Network Against Domestic Violence

250 South Rock Blvd., Suite 116
Reno, Nevada 89502
Phone: (775) 828-1115
Toll-Free: (800) 230-1955
Hotline: (800) 500-1556
Fax: (775) 828-9911
Website: www.nnadv.org

New Hampshire Coalition Against Domestic and Sexual Violence

PO Box 353
Concord, New Hampshire 03302
Phone: (603) 224-8893
Hotline: (866) 644-3574 in state
Fax: (603) 228-6096
Website: www.nhcadsv.org

New Jersey Coalition for Battered Women

1670 Whitehorse-Hamilton Square Rd.
Trenton, New Jersey 08690
Phone: (609) 584-8107
Hotline: (800) 572-7233
TTY: (609) 584-0027
Fax: (609) 584-9750
Email: info@njcbw.org
Website: www.njcbw.org

STATE DOMESTIC VIOLENCE COALITIONS

New Mexico Coalition Against Domestic Violence

1210 Luisa St., Suite 7
Santa Fe, New Mexico 87505
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Email: info@nmcadv.org
Website: www.nmcadv.org

New York State Coalition Against Domestic Violence

119 Washington Ave.
Albany, New York 12210
Hotline: (800) 942-6906 (English)
(800) 942-6908 (Spanish)
TTY: (800) 818-0656 (English)
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Fax: (518) 482-3807
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North Carolina Coalition Against Domestic Violence

123 W. Main St., Suite 700
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Phone: (919) 956-9124
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Fax: (919) 682-1449
Website: www.nccadv.org

North Dakota Council on Abused Women's Services

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Bismarck, North Dakota 58501
Phone: (701) 255-6240
Toll-Free: (888) 255-6240
Fax: (701) 255-1904
Email: ndcaws@ndcaws.org
Website: www.ndcaws.org

Ohio Domestic Violence Network

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Website: www.odvn.org

Action Ohio Coalition for Battered Women

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Email: actionohio@sbcglobal.net
Website: www.actionohio.org

Oklahoma Coalition Against Domestic Violence and Sexual Assault

3815 N. Santa Fe Ave., Suite 124
Oklahoma City, Oklahoma 73118
Phone: (405) 524-0700
Hotline: (800) 522-7233
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Email: info@ocadvsa.org
Website: www.ocadvsa.org

Oregon Coalition Against Domestic and Sexual Violence

1737 N.E. Alberta St., Suite 205
Portland, Oregon 97211
Phone: (503) 230-1951
Hotline: (888) 235-5333
Fax: (503) 230-1973
Website: www.ocadsv.org

STATE DOMESTIC VIOLENCE COALITIONS

Pennsylvania Coalition Against Domestic Violence

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Main Office

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National: (800) 537-2238
TTY: (800) 553-2508
Fax: (717) 671-8149

Legal Office

PA Only: (888) 23-LEGAL
National: (800) 903-0111 ext. 2
Fax: (717) 671-5542
Website: www.pcadv.org

Coordinadora Paz Para La Mujer, Inc.

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Website: www.pazparalamujer.org

Rhode Island Coalition Against Domestic Violence

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Website: www.ricadv.org

South Carolina Coalition Against Domestic Violence and Sexual Assault

PO Box 7776
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Website: www.sccadvasa.org

South Dakota Coalition Against Domestic Violence and Sexual Assault

PO Box 141
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Fax: (605) 945-0870
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Website: www.sdcadvs.org

Tennessee Coalition Against Domestic and Sexual Violence

International Plaza
2 International Plaza Dr., Suite 425
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Toll Free: (800) 289-9018
Fax: (615) 383-2967
Email: tcadsv@tcadsv.org
Website: www.tcadsv.org

Texas Council on Family Violence

PO Box 161810
Austin, Texas 78716
Phone: (512) 794-1133
Toll Free: (800) 525-1978
Hotline: (800) 799-7233
Fax: (512) 794-1199
Website: www.tcfv.org

Utah Domestic Violence Council

205 North 400 West
Salt Lake City, Utah 84103
Phone: (801) 521-5544
Hotline: (800) 897-5465
Fax: (801) 521-5548
Website: www.udvc.org

STATE DOMESTIC VIOLENCE COALITIONS

Vermont Network Against Domestic and Sexual Violence

PO Box 405
Montpelier, Vermont 05601
Phone: (802) 223-1302
Hotline: (800) 228-7395
TTY: (802) 223-1115
Fax: (802) 223- 6943
Email: vtnetwork@vtnetwork.org
Website: www.vtnetwork.org

Virginia Sexual and Domestic Violence Action Alliance

The Corporate Center
5008 Monument Ave., Suite A
Richmond, Virginia 23230
Phone: (804) 377-0335
Hotline/TTY: (800) 838-8238
Fax: (804) 377-0339
Email: info@vsdvalliance.org
Website: www.vsdvalliance.org

Washington State Coalition Against Domestic Violence Olympia Office

711 Capitol Way, Suite 702
Olympia, Washington 98501
Phone: (360) 586-1022
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Email: wscadv@wscadv.org
Website: www.wscadv.org

Seattle Office

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Seattle, Washington 98101
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TTY: (206) 389-2900
Fax: (206) 389-2520
Email: wscadv@wscadv.org

West Virginia Coalition Against Domestic Violence

5004 Elk River Rd. S.
Elkview, West Virginia 25071
Voice/TTY:(304) 965-3552
Hotline: (800) 799-7233
Fax: (304) 965-3572
Website: www.wvcadv.org

Wisconsin Coalition Against Domestic Violence

307 S. Paterson St., #1
Madison, Wisconsin 53703
Phone: (608) 255-0539
Fax: (608) 255-3560
Email: wcadv@wcadv.org
Website: www.wcadv.org

Wyoming Coalition Against Domestic Violence and Sexual Assault

PO Box 236
710 E. Garfield St , Suite 218
Laramie, Wyoming 82070
Laramie, Wyoming 82073
Phone: (307) 755-5481
Hotline: (800) 990-3877
Legal Line: (307) 755-0992
Fax: (307) 755-5482
Email: info@mail.wyomingdvsa.org
Website: www.wyomingdvsa.org

Women's Coalition of St. Croix

PO Box 222734
Christiansted, Virgin Islands 00822
Phone: (340) 773-9272
Fax: (340) 773-9062
E-mail: info@westx.org
Website: www.westx.com

STATE LEGISLATIVE CONTACTS

Alabama State Legislature

State House, Suite 613
11 S. Union Street
Montgomery, Alabama 36130
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(334) 242-7560
Senate: (334) 242-7800
Website: www.legislature.state.al.us

Alaska Legislative Information Office

Thomas B Stewart Building
State Capitol, Terry Miller Building,
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House: (907) 465-3725
Senate: (907) 465-3701
Website: <http://w3.legis.state.ak.us/>

Arizona State Legislature

State Capitol
1700 W. Washington Street
Phoenix, Arizona 85007
House: (602) 926-4221
Senate: (602) 542-3559
Website: www.azleg.gov

Arkansas State Legislature

State Capitol
Little Rock, Arkansas 72201
House: (501) 682-6211 (In session)
House: (501) 682-7771 (Out of session)
Senate: (501) 682-2902 (In session)
Senate: (501) 682-6107 (Out of session)
Website: www.arkleg.state.ar.us

California Office of the Chief Clerk of the Assembly

State Capitol, Room 3196
Sacramento, California 95814
House: (916) 319-2856
Website: www.legislature.ca.gov

California Office of the Secretary of the Senate

State Capitol, Room 3044
Sacramento, California 95814
House: (916) 445-4251
Website: <http://secretary.senate.ca.gov/>

Colorado Legislative Council

State Capitol, Room 029
Denver, Colorado 80203
House: (303) 866-3521
Senate: (303) 866-3855
Website: www.colorado.gov

Connecticut Law and Legislative Reference Unit

State Library, Room L212
231 Capitol Ave.
Hartford, Connecticut 06106
House: (860) 757-6590
Senate: (860) 757-6539
Website: www.cslib.org

Delaware Division of Research, Legislative Council

Legislative Hall, Ground Floor
411 Legislative Ave.
PO Box 1401
Dover, Delaware 19903
House: (302) 744-4114
Senate: (302) 739-3895
Website: www.legis.delaware.gov

STATE LEGISLATIVE CONTACTS

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John A. Wilson Building
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Website: www.dccouncil.washington.dc.us

Florida Division of Legislative Information Services

Claude Pepper Building,
Room 704
111 W. Madison St.
Tallahassee, Florida 32399
House: (850) 488-4371
Senate: (850) 921-5334
Email: leg.info@leg.state.fl.us
Website: www.leg.state.fl.us

Georgia Office of the Clerk of the House of Representatives

State Capitol, Room 309
Atlanta, Georgia 30334
House: (404) 656-5015
Website: www.legis.state.ga.us

Georgia Office of the Secretary of the Senate

State Capitol, Room 353
Atlanta, Georgia 30334
House: (404) 656-5040
Senate: (404) 656-5043
Website: www.senate.ga.gov

Hawaii Legislative Reference Bureau

State Capitol, Room 005
Honolulu, Hawaii 96813
House: (808) 587-0690
Senate: (808) 587-0699
Email: lrb@capitol.hawaii.gov
Website: www.capitol.hawaii.gov

Idaho Legislative Reference Library Legislative Services Office

Capitol Annex, 514 W. Jefferson St.
PO Box 83720
Boise, Idaho 83720
House: (208) 334-2475
Senate: (208) 334-2125
Email: lsoweb@lso.idaho.gov
Website: www.legislature.idaho.gov

Illinois Legislative Research Unit

222 S. College, Suite 301
Springfield, Illinois 62704
House: (217) 782-6851
Senate: (217) 785-7572
Email: lru@ilga.gov
Website: www.ilga.gov

Indiana House of Representatives Legislative Services Agency

200 W. Washington
Indianapolis, Indiana 46204
House: (317) 232-9600
Website: www.in.gov/legislative

Indiana State Senate Legislative Services Agency

200 W. Washington
Indianapolis, Indiana 46204
House: (317) 232-9400
Website: www.in.gov/legislative

STATE LEGISLATIVE CONTACTS

Iowa Legislative Information Office

State Capitol, Ground Floor,
Room G16
Des Moines, Iowa 50319
House: (515) 281-5129
Email: lioinfo@legis.state.ia.us
Website: www.legis.iowa.gov

Kansas Division of Legislative

Administrative Services

State House, Room 511-S
300 S.W. Tenth Ave.
Topeka, Kansas 66612
House: (785) 296-2391
Senate: (785) 296-1153
Email: sharon.schwarz@las.ks.gov
Website: www.kansas.gov

Kentucky Legislative

Research Commission

State Capitol, Room 300
700 Capitol Ave.
Frankfort, Kentucky 40601
House: (502) 564-8100
Senate: (502) 223-5094
Email: robert.jenkins@lrc.ky.gov
Website: www.lrc.state.ky.us

Louisiana State Library

Louisiana Room
701 N. Fourth St.
PO Box 131
Baton Rouge, Louisiana 70802
House: (225) 342-4914
Senate: (225) 342-2791
Email: laref1@slol.lib.la.us
Website: www.state.lib.la.us

Maine Law and Legislative Reference Library

State House, Room 202
43 State House Station
Augusta, Maine 04333
House: (207) 287-1600
Senate: (207) 287-6467
Website: www.maine.gov/legis

Maryland Department of Legislative Services

Department of Legislative Services
90 State Cir.
Annapolis, Maryland 21401
House: (410) 946-5400
Senate: (410) 946-5405
Email: libr@mlis.state.md.us
Website: <http://dls.state.md.us/>

Massachusetts Office of the Clerk of the House of Representatives

State House, Room 145
Boston, Massachusetts 02133
House: (617) 722-2356
Senate: (617) 722-2798
Website: www.mass.gov/legis
Massachusetts Office of the
Clerk of the Senate
State House, Room 335
Boston, Massachusetts 02133
House: (617) 722-1276
Website: www.malegislature.gov

Michigan Clerk of the House

State Capitol, Room H70
PO Box 30014
Lansing, Michigan 48909
House: (517) 373-0135
Senate: (517) 373-5930
Email: clerk@house.mi.gov
Website: www.michiganlegislature.org

STATE LEGISLATIVE CONTACTS

Michigan Secretary of the Senate

State Capitol, Room S5
PO Box 30036
Lansing, Michigan 48909
House: (517) 373-2400
Senate: (517) 373-9635
Website: www.michiganlegislature.org

Minnesota House Public Information Office

State Office Building, Room 175
St. Paul, Minnesota 55155
House: (651) 296-2146
Senate: (651) 297-8135
Website: www.house.leg.state.mn.us

Minnesota Senate Information Office

State Capitol, Room 231
75 Dr. Martin Luther King, Jr. Blvd.
St. Paul, Minnesota 55155
House: (651) 296-0504
Toll-Free: (888) 234-1112
Senate: (651) 296-6511
Website: www.senate.leg.state.mn.us

Minnesota Legislative Reference Library

State Office Building, Room 645
100 Dr. Martin Luther King, Jr. Blvd.
St. Paul, Minnesota 55155
House: (651) 296-8338
Website: www.leg.state.mn.us

Mississippi Clerk of the House

New Capitol, Room 305
PO Box 1018
Jackson, Mississippi 39215
House: (601) 359-3360
Senate: (601) 359-3728
Website: <http://www.legislature.ms.gov>

Mississippi Secretary of the Senate

New Capitol, Room 313
PO Box 1018
Jackson, Mississippi 39215
House: (601) 359-3202
Senate: (601) 359-2129
Website:
<http://www.legislature.ms.gov>

Missouri Legislative Library, Committee on Legislative Research

State Capitol, Third Floor
201 W. Capitol 117A
Jefferson City, Missouri 65101
House: (573) 751-4633
Email: leg.library@lr.mo.gov
Website: www.moga.mo.gov

Montana Legislative Services Division

State Capitol, Room 110
1301 E. Sixth Ave.
PO Box 201706
Helena, Montana 59620
House: (406) 444-3064
Senate: (406) 444-3036
Email: sfox@mt.gov
Website: <http://leg.mt.gov>

Nebraska Clerk of the Legislature

State Capitol, Room 2018
PO Box 94604
Lincoln, Nebraska 68509
House: (402) 471-2271
Senate: (402) 471-2126
Website: www.nebraskalegislature.gov

STATE LEGISLATIVE CONTACTS

Nevada Legislative Council Bureau Research Library

Sedway Office Building, First Floor
333 E. Fifth St.
Carson City, Nevada 89701
(Mailing address: Research Library,
401 S. Carson St.)
House: (775) 684-6827
Senate: (775) 684-6420
Website: www.leg.state.nv.us

New Hampshire Reference and Information Services

New Hampshire State Library
20 Park St.
Concord, New Hampshire 03301
House: (603) 271-2239
Senate: (603) 271-2205
Website: www.gencourt.state.nh.us

New Jersey Legislative Information and Bill Room

State House Annex, Room 50
PO Box 068
Trenton, New Jersey 08625
House: (609) 292-4840
Senate: (609) 777-2440
Email: leginfo@njleg.org
Website: www.njleg.state.nj.us

New Mexico Legislative Council Service

State Capitol, Room 411
Santa Fe, New Mexico 87501
House: (505) 986-4600
Senate: (505) 986-4680
Email: lsc@nmlegis.gov
Website: www.nmlegis.gov

New York Assembly Public Information Office

Legislative Office Building, Room 202
Albany, New York 12248
House: (518) 455-4218
Senate: (518) 455-5175
Website: <http://assembly.state.ny.us>

New York Office of the Secretary of the Senate

State Capitol, Room 321
Albany, New York 12247
House: (518) 455-2051
Senate: (518) 426-6890
Website: www.senate.state.ny.us

North Carolina Legislative Services Office

State Legislative Building, Room 2129
16 W. Jones St.
Raleigh, North Carolina 27601
House: (919) 733-7044
Senate: (919) 715-2739
Website: www.ncga.state.nc.us

North Dakota Legislative Council

State Capitol, Second Floor
600 E. Boulevard Ave.
Bismarck, North Dakota 58505
House: (701) 328-2916
Senate: (701) 328-3615
Email: lcouncil@nd.gov
Website: www.legis.nd.gov

Ohio Office of the Clerk State House

Columbus, Ohio 43215
House: (614) 466-3357
Senate: (614) 644-8744
Website: www.house.state.oh.us

STATE LEGISLATIVE CONTACTS

Oklahoma Law and Legislative Reference Division

Oklahoma Department of Libraries
State Capitol, Room B-8
Oklahoma City, Oklahoma 73105
(Mailing address: 200 N.E. 18th St.)
House: (405) 522-3212
Senate: (405) 521-2753
Email: lawreference@altn.odl.state.ok.us
Website: www.odl.state.ok.us

Oregon Administrator's Office, Legislative Administration Committee

State Capitol, Room 140-A
900 Court St., N.E.
Salem, Oregon 97301
House: (503) 986-1847
Senate: (503) 986-1684
Email: scott.burgess@state.or.us
Website: www.leg.state.or.us

Pennsylvania Library, Legislative Reference Bureau

Main Capitol Building, Room 641
Harrisburg, Pennsylvania 17120
House: (717) 787-4223
Senate: (717) 783-2396
Email: pasesslaws@palib.us
Website: www.legis.state.pa.us

Puerto Rico Secretary of the House

The Capitol, Second Floor
PO Box 902228
San Juan, Puerto Rico 00902
House: (787) 721-6040
Email: info@camaraderrepresentantes.org

Puerto Rico

MicroJuris
PO Box 9024096
San Juan, Puerto Rico 00902
House: (787) 724-3889 (English)
Senate: (787) 723-0672
Email: info@microjuris.com
Website: www.microjuris.com

Rhode Island Legislative Reference, State Library

State House, Room 208
Providence, Rhode Island 02903
House: (401) 222-2473
Senate: (401) 222-3034
Email: statelibrary@sec.state.ri.us
Website: www.state.ri.us

South Carolina Legislative Council

1000 Assembly St., Room 434
PO Box 11489
Columbia, South Carolina 29211
House: (803) 212-4500
Senate: (803) 212-4501
Website: www.scstatehouse.gov

South Dakota Legislative Research Council

State Capitol, Third Floor
500 E. Capitol Ave.
Pierre, South Dakota 57501
House: (605) 773-3251
Senate: (605) 773-4576
Website: <http://legis.state.sd.us/>

Tennessee Office of Legislative Information Services

Rachel Jackson Building, First Floor
320 Sixth Ave. N.
Nashville, Tennessee 37243
House: (615) 741-3511
Website: www.capitol.tn.gov

STATE LEGISLATIVE CONTACTS

Texas Legislative Reference Library

State Capitol, Room 2N.3
1100 Congress Ave.
PO Box 12488
Austin, Texas 78711
House: (512) 463-1252
Senate: (512) 475-4626
Website: www.capitol.state.tx.us

Utah Office of Legislative Research and General Counsel

State Capitol, W210 House Building
Salt Lake City, Utah 84114
House: (801) 538-1032
Senate: (801) 538-1712
Website: www.le.utah.gov

Vermont Legislative Council

State House, First Floor Annex
115 State St., Drawer 33
Montpelier, Vermont 05633
House: (802) 828-2231
Senate: (802) 828-2424
Website: www.leg.state.vt.us

Virginia Legislative Information Office

State Capitol, First Floor
PO Box 406
Richmond, Virginia 23218
House: (804) 698-1500
Senate: (804) 786-3215
Website: <http://virginiageneralassembly.gov>

Washington Office of the Clerk of the House

Legislative Building, Third Floor
PO Box 40600
Olympia, Washington 98504
House: (360) 786-7750
Senate: (360) 786-7021
Website: www.leg.wa.gov

Washington Office of the Secretary of the Senate

Legislative Building, Room 309
PO Box 40482
Olympia, Washington 98504
House: (360) 786-7550
Senate: (360) 786-7520
Website: www.leg.wa.gov

Washington Legislative Information Center

Ground Floor, Legislative Building,
Room 106
PO Box 40600
Olympia, Washington 98504
House: (360) 786-7573
Email: support@leg.wa.gov
Website: www.leg.wa.gov

West Virginia Office of Legislative Services

State Capitol, Room 132-E
Charleston, West Virginia 25305
House: (304) 347-4800
Senate: (304) 347-4819
Website: www.legis.state.wv.us

STATE LEGISLATIVE CONTACTS

Wisconsin Legislative Reference

Bureau

1 East Main St., Second Floor

Madison, Wisconsin 53703

House: (608) 266-0341

Senate: (608) 266-5648

Website: www.legis.state.wi.us

Wyoming Legislative Service Office

State Capitol, Room 213

Cheyenne, Wyoming 82002

House: (307) 777-7881

Senate: (307) 777-5466

Website: <http://legisweb.state.wy.us>

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