

Members Present:

- Chairman Hayes
- Vice Chairman Stewart
- Mr. Brady
- Mr. Coulter
- Mr. Fielding
- Mr. Horn
- Mr. Malone
- Mr. Polish
- Mr. Prengaman
- Mr. Sena

Members Absent:

- Mr. Banner

Guests Present:

- | | |
|-----------------------|--|
| Melvin D. Close, Jr. | Senator |
| Bette Lee Collins | Douglas County Women's Caucus |
| Charlene Eley | Women's Correction Center |
| Elizabeth Elliot | Battered Women's Shelter |
| Susan Haveson | Washoe Legal Services |
| Susan Hill | Pres., Northern Nevada Chapter of NOW |
| Carla Howell | Private Citizen |
| Joni Kaiser | Committee to Aid Abused Women |
| Stephanie J. Lamberly | Women's Political Caucus |
| Mike Malloy | Washoe County District Attorney's Office |
| Bill Middleton | Private Citizen |
| Ellen Pillard | Women's Political Caucus |
| Mary Ann Royale | Private Citizen |
| Dan Seaton | Chief Deputy DA, Clark County |
| Peggy Tweed | League of Women Voters |
| Sue Wagner | Assemblywoman |
| Andrea Zigman | Washoe Legal Services |

Chairman Hayes called the meeting to order at 8:15 a.m.

ASSEMBLY BILL 479 -Provides injunctive relief in certain situations of domestic violence.

ASSEMBLY BILL 480 -Provides penalty for battery against adult member of defendant's household.

ASSEMBLY BILL 481 -Requires reporting of apparent incidents of domestic violence.

Assemblywoman Sue Wagner gave each Committee member a copy of the State Legislation on Domestic Violence, see Exhibit A. Mrs. Wagner said that AB 479 provides injunctive relief in certain situations of domestic violence. This bill also applies

to minor children. The court may enjoin the adverse party from threatening or injuring the applicant or minor child or exclude the adverse party from the applicant's home for a period not to exceed thirty days where this exclusion is necessary to the physical or mental well being of the applicant or minor child. The violation of this order is a misdemeanor. Mrs. Wagner felt this bill was important not only for spousal abuse but for domestic violence or family abuse. Mrs. Wagner also felt AB 480 added to the definition of battery, this would make a battery committed upon a member of the household a gross misdemeanor. Nevada has not had a specific law and this would be the first. Mrs. Wagner stated that AB 481 defined what domestic violence was and would also require the reporting of domestic violence. Mrs. Wagner felt that another concern people may have in reporting domestic violence is that no names be asked for; Mrs. Wagner said this bill was not an attempt at finding out who but how and under what circumstances and particularly why.

Mrs. Wagner gave the following documentation regarding the national scope of domestic violence:

1. There are more police calls for family conflicts than for murders, aggravated batteries and all other serious crimes combined.
2. In 1975 homicide within the family made up approximately 1/4 of all murder offenses in America. Over 1/2 of these killings involved spouse killing spouse. In 1975 there were 484,710 aggravated assaults and batteries in the U.S.
3. Spouse abuse is the largest and most unreported crime committed in America today. The crime of spouse abuse is estimated to be the largest single offense committed.
4. Three out of every five divorce cases involve physical abuse.
5. In Nevada there are approximately 250 calls on abuse per year.

Mrs. Wagner read testimony provided by Pat Bates, Past President of the Women's Political Caucus and who is also a member of the Board of Directors of the Carson City Battered Women's Group, see Exhibit B.

Mrs. Wagner felt that these three bills were the beginning of a recognition of a grave and serious problem.

Ms. Joni Kaiser, Committee to Aid Abused Women in Northern Nevada stated her concern in testifying stemmed from several major areas; see Exhibit C.

Mr. Brady questioned Ms. Kaiser as to why women stayed in these situations; Ms. Kaiser felt the primary reason in Nevada was due to economic reasons. Women who move out need approximately \$1,000 to move into an apartment, many need day care facilities, a vehicle. Fear is also a large factor, women are threatened everyday with loss of life, limb and disfigurement. Also self-esteem, both among battered women and batterers.

Ms. Andrea Zigman, Chairperson of the Board of Directors to Aid Abused Women presented her testimony, see Exhibit D. Ms. Zigman stated this bill also pertained to live-ins and recently divorced women.

Ms. Barbara Moffet, an abused wife, gave her testimony, see Exhibit E.

Ms. Charlene Eley, a former police officer and currently a Correctional Officer at the Women's Correction Center here in Carson City, gave her testimony, see Exhibit F.

Ms. Carla Howe, a former battered woman, appeared before the Committee. Mrs. Howe said she was now single and raising three children. Mrs. Howe said she was raised in a home where her father abused her mother; her sister is in this situation as well as her niece. Mrs. Howe felt that if you are brought up in this environment it does affect you, what you see every day you think is acceptable behavior. Mrs. Howe said that her ex-husband was an ex-felon and known to the police department. She had called the police on many different occasions but felt relief was not prompt enough. Mrs. Howe felt that AB 480 would possibly give the police the authorization to make an arrest in this type instance.

Ms. Mary Ann Royale, speaking as a private citizen, handed out an excerpt from The Family Law Reporter which shows the progress of domestic violence in the state legislatures throughout the United States, see Exhibit G. Ms. Royale spoke in favor of AB 481, which would provide for data collection. Ms. Royale cited the following statistics concerning women:

1. Women are more likely to be killed in the home than men.
2. Of all women killed 68% were killed in the home as opposed to a street, park or other public place.

3. Fifty five percent of those women killed in a home were killed in the home they shared with their assailant.
4. Women killed by their husbands constituted 41% of all women who were killed.
5. Eleven percent of husbands are killed by their wives.
6. Men kill women they have attacked while women kill men who have attacked them.

Ms. Ellen Pillard, State Chairman of the State Women's Political Caucus, stated that the Women's Political Caucus is a bi-partisan political organization, having membership throughout Nevada and local caucus in many of the communities in the state. The purpose of the organization is to aid and actively involve women in politics and support legislation which speaks to the unique needs that women have and in addition, support legislation that is beneficial to both women and men in the State of Nevada. The membership of the statewide organization has gone on record as supporting this package of three bills that addresses the issue of spouse abuse.

Ms. Susan Hill, President of the Northern Nevada Chapter of the National Organization for Women gave her testimony, see Exhibit H.

Ms. Bette Lee Collins, Douglas County Women's Caucus, Minden, Nevada, said she represented a county in Nevada that was considered a "cow county" and wife abuse problems were not suppose to happen in rural communities. Ms. Collins urged the passage of these bills.

Ms. Peggy Tweed, League of Women Voters of Nevada, expressed their support of the proposed legislation on spousal abuse.

Mr. Mike Malloy, Washoe County District Attorney's Office, spoke on AB 480. Mr. Malloy said he was not in opposition to the bill, he wanted the Committee to understand and the sponsors of the bill, that there may be some misconception by what is accomplished by changing the class of crime from a simple misdemeanor to a gross misdemeanor. With respect to changing the class of crime, by making it a gross misdemeanor, Mr. Malloy stated prosecution would be more lengthy and possibly more difficult. Mr. Malloy also felt that sentencing in these offenses would be less severe in the long run if the class of crime is changed from a gross misdemeanor to misdemeanor. Mr. Malloy did not know what would be accomplished by AB 480 except something that sounds good, he did not feel it would accomplish much. Mr. Malloy also felt it might be detrimental to the purposes for which it was introduced.

Date: March 14, 1979

Page: 5

Mr. Bill Middleton, private citizen from Las Vegas, stated his concern for these bills. Mr. Middleton said these bills were not the ultimate solution but wanted to go on record as being strongly in favor of them.

Assemblyman Malone thanked the ladies and gentlemen for coming and testifying on these bills and for putting forth their support. Mr. Malone hoped the bills would alleviate problems the police have in domestic situations. Mr. Malone said he would be keeping an eye on the bills and hoped to get the loop holes out as he wanted to be one of the first to be able to initiate the carrying out of the bills when he returned to Las Vegas.

See Exhibits I and J for further testimony and statistics pertaining to AB 479, 480 and 481.

ASSEMBLY BILL 507

Prohibits district attorneys and peace officers from disclosing at certain times names of victims of sexual assaults.

Mike Malloy, Washoe County District Attorney's Office, stated he was not for or against AB 507. Mr. Malloy felt the way it is written now the concept is a good one to prevent the names of victims of sexual assault being made public. What bothered Mr. Malloy about the bill was the possibility that it could be interpreted to require the peace officers and district attorneys not to name the victim of a sexual assault in the complaint. When a complaint is made it has to name the victim, if it doesn't it violates due process. Mr. Malloy said you cannot file a complaint for sexual assault without naming the victim, if you do it's worthless.

Chairman Hayes said the main concern with this bill is to protect the victim so their name will not be published in the newspaper. Mrs. Hayes requested Mr. Malloy and Mr. Seaton assist in wording and amending this bill.

Mr. Dan Seaton, Chief Deputy District Attorney in Clark County, felt that one solution could be a provision that would allow the victim to give permission for dissemination of that information. Mr. Seaton said that in Clark County they have a serious problem with closed hearings, a provision which allows defense counsel to ask for a closed hearing and no such provision for the district attorney to make such a motion. Mr. Seaton stated that he would like to return to Clark County and see if they could draft something along these lines and bring it before the committee.

SENATE BILL 89

Specifies when monetary judgements for minors may be paid to parents or must be paid to appointed guardians.

Senator Mel Close, stated that the cost of maintaining a guardianship for a juvenile is not worth the benefit received. To go ahead and file a guardianship for a juvenile for a sum of money less than \$2500, especially if that person is very young will probably cost half of that during his life time. Every year that guardian is compelled to report back to the court what has happened to the money, what investments have been made, what income has been made, what expenditures have been made and so on. The guardian is required to post a bond during the entire term of his guardianship, this could be 18 years. Mr. Close said initially the amount was \$1500 but after reviewing the costs more carefully they felt \$2500 was more appropriate. Mr. Close said the money is paid over to the parent and the child takes his chances with the parent in that the parent will give the money to him when he reaches age 18.

ASSEMBLY BILL 389

Provides penalty for stopping payment on a check under certain circumstances.

Mr. Sena made the motion to Rescind Action of AB 389, Mr. Brady seconded the motion. Chairman Hayes requested "or services" be included in Section B, "received any money, merchandise or services received for the check". The Committee approved the motion on the following vote:

Aye - Hayes, Stewart, Brady, Coulter, Fielding, Horn,
Malone, Polish, Prensaman, Sena - 10

Absent - Banner - 1

ASSEMBLY BILL 235

Removes exclusive references to men in National Guard and militia.

Mr. Stewart suggested an amendment to this bill stating there had been some concern expressed as to what kind of privacy would be allowed to opposite members of the sex in the National Guard.

Mr. Stewart made the motion to Amend AB 235 as follows: "The Nevada National Guard must provide for personal privacy between members of the opposite sex". Mr. Sena seconded the motion. The Committee unanimously approved the motion.

Date: March 14, 1979

Page: 7

AB 235

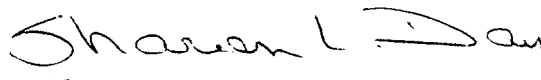
Mr. Polish made the motion Do Pass As Amended; Mr. Sena seconded the motion. The Committee unanimously approved the motion.

AB 479, 480, 481

Chairman Hayes stated there had been an amendment to AB 479 but she did not care for it. The Committee felt they should wait and see if they receive more information on these bills before taking action.

Chairman Hayes adjourned the meeting at 10:48 a.m.

Respectfully submitted,



Sharon L. Day
Secretary

STATE LEGISLATION ON DOMESTIC VIOLENCE

The following is a chart of the major provisions of state legislation generated by the concern about battered women that has grown over the past several years. The statutory material was collected with the help of the contacts for each state, listed in the last issue of RESPONSE. These laws and pending legislation were assembled in January, 1978, and no systematic effort has been made to update the information. Recent changes in the information that have come to our attention, however, are reflected on the

chart. We have also included older, comprehensive laws of the District of Columbia, Hawaii, and New York that deal with domestic violence. Similar statutes of other states may have been omitted because the criminal and civil codes of each state were not researched. The chart was composed for CWPS by Barbara Harvis, a third-year law student at Georgetown University Law Center.

STATE	CIVIL REMEDIES— INJUNCTIVE RELIEF	SHELTER SERVICES	DATA COLLECTION	POLICE TRAINING	SPECIAL CRIMINAL STATUTES	CONCURRENT RESOLUTIONS
ALABAMA						
ALASKA		<i>Laws of Alaska, Ch 72 (1977)</i> • Shelter in Anchorage for one year • Appropriation: \$216,000				
ARIZONA						
ARKANSAS						
CALIFORNIA	<i>Laws of Calif., Ch. 720 (1977)</i> • Includes cohabitants • TRO for maximum of 30 days • <i>Ex parte</i> relief: "great or irreparable injury" • Relief is independent of Marriage Dissolution Proceeding • Copy of order to LEA if requested by π • Violation: Misdemeanor	<i>Laws of Calif., Ch 892 (1977)</i> • Statewide network of 4-6 pilot centers • Appropriations: \$280,000 • Data collection • Confidentiality of information	<i>Laws of Calif., Ch 908 (1977)</i> • Separates reporting of spouse abuse and child abuse		<i>Laws of Calif., Ch 912 (1977)</i> • Makes spouse abuse a felony • Includes cohabitants • Penalty: Imprisonment for not greater than 1 year.	
COLORADO	<i>HB 1633 (Pending)</i> "Domestic Violence Abuse and Protection Act" • See Penn. law" • Includes additional police enforcement and reporting provisions (temporary custody not to exceed 24 hours for violation of order and likelihood of assault)		<i>HB 1633 (Pending)</i> • Recordkeeping requirements by police • Annual statistical compilation by general assembly			
CONNECTICUT	<i>Pub. Act No. 77-336 (1977)</i> • PO: Hearing within 14 days of application Relief includes RO and VO • Maximum duration: 90 days unless action for marriage dissolution commenced • Copy of order to applicant upon request • Non-exclusive remedy†† • <i>Ex parte</i> relief: "immediate and present physical danger"	<i>Special Act No. 77-87 (1977)</i> • Pilot program for shelter services • Appropriation: \$75,000				
DELAWARE						
DISTRICT OF COLUMBIA	<i>DC Code, Title 16, Ch 10 (1977)</i> • Includes cohabitants • PO: Relief includes RO, mandatory counseling • Maximum duration: 1 year • <i>Ex parte</i> relief: "safety or welfare . . . is immediately endangered" • Penalty: Contempt • No husband-wife privilege in proceedings					
FLORIDA		<i>HB 74 (Pending)</i> • Establishment and funding of diagnostic intervention centers • Educational and informational programs • Spouses only • Confidentiality of information • Mandatory police referral			<i>Subsection 901.15(6) (Chap 77-67), Fla. Statutes (1977)</i> • Provides for warrantless arrest when abuse not in officer's presence	
GEORGIA						
HAWAII					<i>Sec 709-908, Haw. Penal Code (1973):</i> • Makes spouse abuse a misdemeanor • Warrantless arrest if abuse in officer's presence • 3 hour cooling off period if abuse not in officer's presence • Violation: Arrest • Record expungement provision <i>HB 742 (Pending)</i> • Provides for warrantless arrest when abuse not in officer's presence	

EXHIBIT A

Abbreviations in chart	Footnotes
PO = PROTECTION ORDER RO = RESTRAINING ORDER VO = VACATE ORDER TRO = TEMPORARY RESTRAINING ORDER π = LAW ENFORCEMENT AGENCY Δ = DEFENDANT π = PLAINTIFF TOP = TEMPORARY ORDER OF PROTECTION	† Relief is without notice to the defendant. * Provisions are substantially the same as those listed on the chart under the Pennsylvania "Protection from Abuse Act" of 1976. Additional provision not found in the Pennsylvania law are listed. †† Relief is "in addition to" any other available civil or criminal remedies.

STATE	CIVIL REMEDIES— INJUNCTIVE RELIEF	SHELTER SERVICES	DATA COLLECTION	POLICE TRAINING	SPECIAL CRIMINAL STATUTES	CONCURRENT RESOLUTIONS
MINNESOTA		<i>Chap 428 (S.F. 124) (1977)</i> • Establishment of four pilot shelter programs • Includes cohabitants • Educational program • Data collection and evaluation • Assistance to displaced homemakers • Appropriation: \$500,000, plus \$100,000 for displaced homemakers	<i>Chap 428 (S.F. 124) (1977)</i> • Mandatory reporting of data by hospitals, doctors, nurses, and LEAs			
MISSISSIPPI						
MISSOURI	<i>HB 1023 (Pending)</i> • See Penn. law • Right to relief not affected by self defense or by leaving residence to avoid abuse • No execution of bond by petitioner • Attorney fees paid by Δ if Δ loses • Relief is independent of marriage dissolution proceedings • Emergency night relief • Temporary custody (20 hrs) for abuse and violation of court order		<i>HB 1023 (Pending)</i> • LEA recordkeeping requirements • Confidentiality of records • Immunity to recordkeepers	<i>HB 1023 (Pending)</i> • Establishment of domestic crisis teams		
MONTANA						<i>HJR 103 (Failed):</i> • Requests study of battered spouse needs
NEBRASKA	<i>LB 623 (1978)</i> "Protection from Domestic Abuse Act" • Includes cohabitants • Relief includes TRO and TVO • <i>Ex parte</i> relief: "irreparable harm, loss, or damage" • Applicant gets two free copies of order	<i>LB 623 and LB 623a (1978)</i> • Establishes comprehensive support services to victims, families, and abusers. • Compilation of statistical data • Confidentiality of information • Appropriation: \$176,000 for three pilot shelters		<i>LB 623 (1978)</i> • Education and training program for LEA	<i>LB 623 (1978)</i> • Mandatory counseling as condition of probation for abuser	
NEVADA						
NEW HAMPSHIRE						
NEW JERSEY	<i>S 3156 (Pending)</i> "Battered Persons Act" • See Penn. law	<i>A3168 (Pending)</i> • Establishes shelters and comprehensive services • Includes cohabitants		<i>A 3170 (Pending)</i> • Special police training	<i>A 3171 (Pending)</i> • Person accused of assault, assault and battery or atrocious assault and battery may be kept away from marital residence for up to 72 hours.	
NEW MEXICO						
NEW YORK	<i>Family Court Act, Art. 8, NY Jud. Law (McKinney) amended by Chap. 449 (S 6617-A8842) (1977):</i> • Spouses only • Initial concurrent jurisdiction in family court and criminal court, but exclusive remedy • PO (restraining, vacate, visitation, custody) Maximum duration: 1 year • <i>Ex parte</i> relief • Notice of PO to LEA • Violation: Maximum of 6 months jail • Conciliation procedures (pre-filing of petition): Probation services, written agreements (court may enter PO in accordance with agreement)	<i>Chap 450 (S6618-A8843), Laws of NY (1977)</i> • Permits Board of Social Welfare to approve establishment and operation of shelter homes	<i>Chap 449 (S 6617-A8842) laws of NY (1977)</i> • Compilation of data by judiciary		<i>Chap 449 (S6617-A8842) laws of NY (1977)</i> • Gives criminal courts power to issue TDP as condition of pre-trial release, and, upon conviction, to enter PO. • Copy of order to police	
NORTH CAROLINA						
NORTH DAKOTA						
OHIO	<i>HB 835 (Pending)</i> • See Penn. law	<i>HB 1080 (Pending)</i> • Loan and grant program for purchase or renovation of buildings to be used as shelter; max. loan for 1 building: \$75,000. <i>HB 987 (Pending)</i> • Establishes program of family protective services • Include cohabitants • Recordkeeping provision • Appropriation: \$5,000,000			<i>HB 957 (Pending)</i> • Makes second or subsequent criminal assault against spouse a felony of 4th degree • Includes cohabitants • PO during pendency of action, 24 hour/day court, copy of order to LEA • Probation provision (suspended sentence) if participation in psychological treatment programs	
OKLAHOMA	<i>HB 1620 (Pending)</i> "Protection of Household Members from Abuse Act" • See Penn. law					

STATE	CIVIL REMEDIES— INJUNCTIVE RELIEF	SHELTER SERVICES	DATA COLLECTION	POLICE TRAINING	SPECIAL CRIMINAL STATUTES	CONCURRENT RESOLUTIONS
OREGON	<p>Chap 845 (HB 2438), Oregon laws (1977) "Abuse Prevention Act"</p> <ul style="list-style-type: none"> • Includes cohabitants • Relief includes TRO, injunction or consent agreement, temporary custody or visitation • Maximum duration: 1 year • No undertaking required • Relief not affected by leaving household to avoid abuse • Non-exclusive remedy†† • Petitioner must deliver copy of order to LEA • Mandatory arrest for violation of restraining order. May be released on bail pending contempt hearing • Limits criminal and civil liability of arresting officer 	<p>Chap 846 (SB 769), Oregon Laws (1977)</p> <ul style="list-style-type: none"> • Grants for programs (including shelters) designed to prevent, identify and treat domestic violence. 			<p>Chap 845, Ore. Laws (1977)</p> <ul style="list-style-type: none"> • Provides for mandatory arrest (unless victim objects) if police officer has probable cause to believe assault or fear of assault on spouse • Includes cohabitants • Limits criminal and civil liability for arresting officer 	
PENNSYLVANIA	<p>Act 218, Laws of PA (1976) "Protection from Abuse Act"</p> <ul style="list-style-type: none"> • Includes cohabitants • Right to relief not affected by leaving household to avoid abuse • PO or consent agreements: Hearing within 10 days of filing petition, proof by preponderance of evidence. Δ has right to counsel. Relief include: RO, VO, possession of residence, temporary custody and visitation, alternate housing. Maximum duration: 1 year • Ex parte† relief: "immediate and present danger of abuse" • Emergency weekend relief • Copy of order to Δ, π, and LEA • Non-exclusive remedy†† • Violation: contempt 	<p>SB 964 (Pending) Amends Act 218</p> <ul style="list-style-type: none"> • Clarifies when π may gain possession of household • Provides that relief may include support order • Emergency relief by Philadelphia municipal court judge • Violation: indirect criminal contempt, maximum penalty 6 months in prison, \$1,000 fine, or both, no right to jury trial • Warrantless arrest for violation of order if probable cause (whether or not in presence of arresting officer) 				
RHODE ISLAND					<p>77-S-1009, Chap 259, RI Public Law (1977)</p> <ul style="list-style-type: none"> • Makes domestic assault a misdemeanor • Includes cohabitants • Arrest must be made within 24 hours after commission of crime • No recognizance requirement 	
SOUTH CAROLINA		<p>S 795 (Pending)</p> <ul style="list-style-type: none"> • Includes cohabitants • Establishes pilot programs for shelter and support services • Community education program • Data collection and program evaluation 				
SOUTH DAKOTA	<p>SB 335 (failed)</p> <ul style="list-style-type: none"> • Provides for RO and VO • Ex parte† relief 					
TENNESSEE					<p>Tenn. Code Ann Sect. 39-602 (1976)</p> <ul style="list-style-type: none"> • Makes domestic assault a misdemeanor 	
TEXAS						
UTAH						
VERMONT						
VIRGINIA	<p>Code of VA 16.1-279 (amended) 1978</p> <ul style="list-style-type: none"> • Court order for counseling or treatment for either spouse • Δ may have to pay for shelter care 	<p>HB 683 (Pending)</p> <ul style="list-style-type: none"> • Two-year pilot shelter program • Department of Welfare pays one-half cost for shelter 				
WASHINGTON						
WEST VIRGINIA	<p>HB 1082 (Pending)</p> <ul style="list-style-type: none"> • Includes cohabitants • Right to relief not affected by leaving household to avoid abuse • PO or consent agreements: include RO, possession of residence or VO, custody to party with possession. • Maximum duration: 10 days (renewable for 10 days) • Ex parte† relief: only after notice to Δ, hearing within 72 hours, "immediate and present danger of abuse" • Non-exclusive remedy†† • Violation: contempt • No husband/wife privilege under the act. 					
WISCONSIN						<p>AJR 36 (Pending):</p> <ul style="list-style-type: none"> • Directs legislative council to study the problem of abuse spouses
MINN						

TESTIMONY
March 14, 1979

My name is Pat Bates and I am past president of the Women's Political Caucus and I am also on the Board of Directors of the Carson City Battered Women's Group.

I would like to speak in favor of enactment of AB 481, a bill that would require reporting of apparent incidences of domestic violence to a central registry.

Domestic violence is one of the most under-reported crimes in the country. The reasons for this are twofold. First, victims fear that reporting the crime might result in further violence and loss of financial support provided by the batterer. Second, others who observe apparent abuses feel that they shouldn't meddle in the affairs of others.

Within the criminal justice community, these crimes have a low priority even to the extent that many have questioned the propriety of their inclusion as a criminal justice concern. Domestic relations problems have been viewed as "civil matters" and police officers, prosecutors and judges maintain that they are not social workers.

But even given the low priority of domestic violence in criminal proceedings, the problem is beginning to be recognized for the widespread social ill that it is. The data that is currently available on the evidence of spouse battery points out that it is an important growing crime problem as indicated by the following:

- . . . domestic violence is one of the most under-reported crimes in the nation, even more under-reported than rape which the FBI estimates at ten times more frequent than the statistics indicate,
- . . . about one in four women are victims of battery at some point in their domestic relationship,
- . . . in California in 1974, almost one-third of female homicide victims were murdered by their husbands,
- . . . in 1974, 28% of police officers assaulted nationwide were attempting to stop family fights (of those police officers killed in the line of duty, 22% died while responding to calls of family disturbances.)

EXHIBIT B


Pat Bates
Testimony
Page 2

The question that arises from these facts is not whether domestic violence is a problem, but rather what is the extent of the domestic violence problem.

The most basic problem related to describing the extent of domestic violence in Nevada is the absence of uniform, systematic data on the existence and magnitude of spouse battery. This is due to the fact that there is a hesitancy for the victims to report occurrences for fear of reprisals by their spouses and fear of personal involvement with the criminal justice system to address a "family" problem. At the same time, it is impossible to accurately determine the incidences of spouse battery because there is no official crime category or classification for this problem, consequently, prevalence data may be buried in other crime categories such as assault and battery, aggravated assault, or even homicide.

By establishing a domestic violence registry and concurrently mandating the reporting of apparent incidents of spouse battering by those in the health and helping professions, we will for the first time begin to describe the nature and extent of this "closet" crime.

Thank you.


Patricia A. Bates

PAB:L

EXHIBIT B

Committee to Aid Abused Women

Joni Kaiser
Coordinator

March 14, 1979

Assembly Judiciary Committee, Nevada State Legislature

A.B. 479, A.B. 480 and A.B. 481 : Testimony

EXHIBIT C

1235 Pyramid Way, Sparks, Nevada 89431
Days: (707) 358-4150 Evenings & Weekends 323-6111

Thank you Karen Hayes, members of the Assembly Judiciary Committee and guests at this hearing.

My name is Joni Kaiser. I am a Program Associate for the American Friends Service Committee. I co-founded and currently coordinate the Committee to Aid Abused Women(CAAW) in Northern Nevada.

Our concern in testifying today stems from several major areas: 1) The recognized need for adequate and effective legal protection for battered and assaulted spouses; 2) The need for prevention of further violence, including a concern for reducing the deaths and injuries of police officers. (Please refer to enclosed page entitled, "Domestic Violence and Police.") We also see prevention of further violence as reducing the propensity toward the cycle of violence which perpetuates abuse from generation to generation; and 3) The need to educate the public about this hidden and devastating social problem.

The Committee to Aid Abused Women(CAAW) was founded in November, 1977, to try to begin responding to the specific needs of victims of domestic violence in Northern Nevada. The committee has developed and currently provides the following services: 1) Temporary emergency housing, up to four weeks, for battered women and their children through our shelter, our network of community homes and short motel stays. We are the only organization providing such a physically safe environment to victims of abuse in Northern Nevada; 2) Psychological Support Services including immediate crisis intervention and referral to longer-term professional counseling for battered women, their children and batterers; 3) Legal Support Services. We refer to and work hand-in-hand with appropriate legal services. We also attempt to explain existing legal remedies such as how to file an Assault and Battery Citizen's Arrest Complaint; and 4) Other services including transportation, advocacy for battered women when they deal with other community services, and referral to out-of-state services when the situation is extremely dangerous or we can not provide enough resources to the woman and her children.

Our organization is mainly supported by volunteers. We train Counselor/Advocates to do direct work with clients, as well as office staff to do research, handle telephone calls and participate in other projects. I would like to take this time to commend the citizens of Northern Nevada for their support of the Committee to Aid Abused Women, both in monetary and labor time terms. To my knowledge, CAAW is one of the very few, if indeed any, organizations of its kind in the nation to be existing for so long with such limited resources. We simply owe our lives to the generous and concerned volunteers and contributors in Nevada.

Another goal of our organization besides providing direct services is our public education campaign. Since our inception in November of 1977, we have made a minimum of five presentations each month, sometimes as many as four a week, about the problems and possible solutions about domestic violence. We speak to professionals such as police, nurses, psychologists, teachers; paraprofessionals, including other social service workers and crisis counselors; students service organizations, sororities, churches and even inmates at the Women's Prison in Carson City. We have developed a Public Service Announcement on Domestic Violence which should be appearing on T.V. Channels 2, 4 and 8 this month. CAAW sponsors film showings and contributes to local newspapers. We distribute other educational materials to all groups that we speak to. All these activities are aimed at raising the general awareness of the public about domestic violence and informing victims and potential victims that assistance and alternatives are available to them.

I have enclosed in my testimony a Statistics Sheet for Northern Nevada which details characteristics of our caseload for a one-year period. It also includes information on Carson City Statistics and Crisis Call Statistics. I think that it is important to note that these figures by and large represent only the 'tip of the iceberg'; many more women are being abused every day than we are aware of.

We get calls from desperate women attempting to get out of their violent and dangerous relationships as well as calls from women who

want emotional support and want to find out what their options are. We get calls from poor women, middle-class women and wealthy women. We get calls from wives of doctors, ministers, police officers and even politicians. We get calls from women of all ethnic backgrounds. We get calls from women in their teens all the way up to their 70's. We get calls at all hours of the day and night, with no proven predictability. The problem is indeed very extensive right here in Northern Nevada.

From our experience of 14 months of operation we feel we are able to adequately reflect the needs of battered women and their children. One of their main needs that we are unable to provide is effective and adequate legal protection to enable women to live without fear of future attacks or even death. This is the realm of lawmakers like yourselves; to look at existing laws and proposed new legislation and then make the decisions that will prove crucial to victims of this particular crime.

I would like to talk now about the current bills that are being introduced and having their first hearing today. I am extremely pleased that legislation about domestic violence is being introduced and discussed for the first time in Nevada's legislative history.

First, I'd like to discuss A.B.#479 which provides injunctive relief in certain situations of domestic violence. As Coordinator of the Committee to Aid Abused Women, I feel, along with many other people, that this bill is crucial in providing adequate and effective legal protection for battered and assaulted persons involved in domestic relationships.

The next speakers will go into the bill in depth from their perspectives of working with the legal system and domestic relations on a daily basis. What I would like to stress is the fact that A.B.#479 is an excellent start in providing necessary legal protection for women who often live in fear for their lives. It clearly states the legal remedy of a Temporary Restraining Order and gives that civil remedy teeth by specifying that a violation of the Order results in

a misdemeanor offense. This specifically makes the problem a "criminal matter." A.B.#479 aids the police by enabling Temporary Restraining Orders to be filed in the local law enforcement agency which has jurisdiction over the residence of the applicant. Another extremely necessary and positive aspect of this bill is that it requires immediate action, often unavailable currently, to prevent future violence and even homicide. A.B.#479 is an excellent bill which stresses prevention and adequate, effective legal protection. Nevada victims of domestic violence need this bill and will testify to that later this morning.

The second bill that I would like to discuss is A.B.#480 which provides a penalty for battery against an adult member of a defendant's household. I believe that this bill is extremely important because it specifically defines abuse of adult household members as a crime. While CAAW does not necessarily believe that incarceration necessarily is a solution for batterers, we do believe that this bill will deter some people from such criminal activity. Another positive result of the passage of this law would be increased opportunities for law enforcement personnel to do something about this crime that now occurs once every 18 seconds in this country, according to the F.B.I. (Please refer to attached fact sheets.)

Most battered women that we see have had dealings with the police at least once while being in a physically violent relationship. These interactions have often be fraught with inconsistency, erroneous information and frustration. Many battered women have related to us that the police were less than helpful or told them that it was a "civil matter", not a "criminal matter" and that "there was nothing that they could do." I can give countless case histories of women, for example, who were sent to the hospitals of our communities with massive injuries including broken bones, lacerations and marks of strangulation where arrests were never made of the perpetrators. I can and will go in to these if Committee members request at the end of my testimony. I bring this up not to point fingers of blame at anyone, but merely to point up the existing inadequacies of the law that do not respond to the needs of the victim or the police officer.

The third bill I would like to discuss is A.B.#481 requiring reports of injurious domestic violence incidents to be reported to a central registry for data collection purposes.

After 14 months of working on domestic violence, one of the most frustrating aspects of CAAW's work is the inability to accurately document the incidence of domestic violence in Nevada. When we approach private sources for funding purposes, we are unable to specifically tell them what the extent of the problem is in Nevada. This seriously inhibits our ability to raise funds to support our work and to help victims. With the exception of the Crisis Call Center, Washoe Legal Services and organizations similar to ours, no other organization or agency collects data on domestic violence. We must know more about the problem in Nevada. Is it exacerbated by our high transiency rate, our high alcoholism rate and our high suicide rate, for example? Is it less prevalent than states with more population? We simply do not know at this time, we can only guess. Everyone who comes in contact with the problem, from counselors to police to groups like CAAW, can give you estimations, but not much solid proof about the numbers and extent of incidents.

A.B.#481 would help collect that information while retaining confidentiality of names and addresses. The bill is solely for data collection purposes. No investigatory processes are included in the bill. It is an extremely well written bill and we heartily recommend a Do-Pass Resolution from this committee.

We have prepared what we believe is fairly comprehensive testimony about these bills from both experts in the field and general supporter. In Conclusion, there are probably many questions which committee members may have. I refer you to the attached page on "Domestic Violence Reports" for background information. I'm sure that I, as well as the speakers to follow, will be glad to provide any information this committee requests if we do not know the answers today. Are there any questions about my testimony or the general problem of

domestic violence?

Thank you for the opportunity to speak to you today. If I can be of further assistance, please let me know.

Respectfully submitted,

Joni Kaiser

Joni Kaiser, CAAW Coordinator

No. Nevada Statistics

Committee to Aid Abused Women

Characteristics of Clients

March 14, 1978 to March 14, 1979

<u>RACE</u>	<u>AGE</u>	<u>GEOGRAPHIC LOCATION</u>
240 White	20 19 or less	160 Reno
4 Black	108 20's	32 Sparks
12 American Indian	72 30's	12 Carson City
8 Asian	32 40's	48 Washoe County
12 Spanish American	12 50's	3 Other Nev. Counties
12 Unknown	8 60's	24 Out of State
288 TOTAL	36 Unknown	12 Unknown
	288 TOTAL	288 TOTAL

SOURCE OF REFERRALS

80	Crisis Call Line
84	Self/Friends
52	Legal Aid
40	Other Agencies
28	Hospitals
4	Police
	██████████
288	TOTAL

DISPOSITION-GENERAL CALLS

112	One-Time Contact
	Multiple Contact(Follow-Up):
59	Still in Home
24	At Home, Batterer Not Present
16	Not in Home
	<u>211</u> TOTAL

DISPOSITION - SHELTER RESIDENTS

12	Returned to husband
8	Returned to Home Without husband
20	Established new residence
4	Moved in with Friends or Relatives
3	Asked to Leave
6	Got Live-in Position
17	Went out of State
7	Unknown
77	TOTAL

CARSON CITY STATISTICS

This information is from a group of women who are trying to organize around the issue of domestic violence, with the hopes of providing services to local victims.

They found, in cooperation with local law enforcement that from January to June of 1978, an average of 15 assaults per month were reported to law enforcement.(These were domestic assaults.)

CRISIS CALL STATISTICS

Crisis Call Staff and volunteers have been keeping record of all calls from battered women since Oct., 1977. Their information shows an average of 22.1 calls from battered women per month from Oct., 1977 to January, 1979.

domestic violence?

Thank you for the opportunity to speak to you today. If I can be of further assistance, please let me know.

Respectfully submitted,

Joni Kaiser

Joni Kaiser, CAAW Coordinator

DOMESTIC VIOLENCE REPORTS

- * Transcript of the "Domestic Violence Hearings", Subcommittee on Select Education and Labor, House of Representatives, 95th Congress, 2nd Session, on H.R. 7927 and H.R. 8948, held on March 16 & 17, 1978.
- * Battered Women: Issues of Public Policy; A Consultation sponsored by the U.S. Commission on Civil Rights, Washington, D.C., January 30-31, 1978
- * Handbook on Domestic Violence; California Dept. of Justice, Office of the Attorney General; April, 1978
- * The Silent Victims: Denver's Battered Women; Colorado Advisory Committee to the U.S. Commission on Civil Rights; August, 1977
- * Domestic Assault: A Report on Family Violence in Michigan; Michigan Women's Commission; 1977
- * Battered Women; Manfred Ohrenstein, Minority Leader, New York State Senate; 1978
- * The Report from the Attorney General's Task Force on Domestic Violence; State of Ohio; March, 1978
- * A Report by The Task Force to Study a Haven for Physically Abused Persons; Montgomery County, Maryland; November, 1975
- * Battered Women: The Hidden Problem; The Battered Women Study Committee; St. Paul, Minnesota; July, 1976
- * Working on Wife Abuse; Betsy Warrior; April, 1978
- * Law Enforcement Problems With Intra-Family Violence, Presentation on Police Difficulties with Female Battering Cases, Social Conflict Assaults: Detroit, Mich.; James Bannon, Executive Deputy Chief, Detroit Police Dept.
- * "A Profile of Violence Toward Children in the U.S.," 5 Family Law Reporter 2261 January, 1979, by Richard J. Gelles

DOMESTIC VIOLENCE & POLICE

- * The F.B.I. reports that annually in excess of 50% of all officers killed in the line of duty are in the process of responding to a domestic violence call. It seems to be true, also, that the majority of police officers who are injured are similarly involved in conflict intervention activity.

("Presentation on Police Difficulties With Female Battering Cases", by James Bannon, Ph.D., Executive Deputy Chief, Detroit Police Dept., 1977)

F.B.I. Statistics --

- * About 40 times/day a police officer is injured while investigating a disturbance.
- * About 3 times/day a police officer is shot while responding to a disturbance call.
- * Almost twice a month a police officer is killed answering a disturbance call.
- * In 1976, police suffered 49,079 injuries. 15,448 of these were in response to domestic disturbance calls.
- * In 1976, 2,768 police officers were shot. 1,034 of these were in response to family quarrels and other disturbances.
- * In 1977, 93 police officers were killed. 22 of these occurred while responding to disturbance calls.

-- Reno Evening Gazette
June 15, 1978

FACTS -- STATISTICS

- * F.B.I. statisticians estimate conservatively that only 1 out of 10 women report incidences of assault by their spouses or cohabittees.
(Aegis, Nov./Dec. 1978)
- * Physical violence occurs between family members more often than it occurs between any other individuals or in any other setting except for wars and riots.
(N.I.M.H. -- Nat'l Institute of Mental Health Family Violence Study)
- * Husband-wife violence has been estimated to involve anywhere from 50% to 70% of American families.
(data from Suzanne Prescott and Carolyn Lets; Battered Women: A Social and Psychological Perspective 1976)
- * In 1977 a survey taken by Psychology Today of 28,000 men and women revealed that 40% of the men had occasionally hit a woman with whom he had an on-going relationship.
(the survey -- Carol Travis "Masculinity" in Psychology Today, Jan. 1977)
- * Wife beating is so pervasive that according to F.B.I. statistics the number of wife beatings reported in this country is 3 times more prevalent than reported rapes. This means 1 rape every 3 minutes -- 1 battered wife every 18 seconds.
(Paulette Owens, Esq., Chpsn., Mayor's Task Force on Rape; N.Y.C.; Oct., 1978)

ASSEMBLY COMMITTEE ON THE JUDICIARY

MARCH 14, 1979

My name is Andrea Zigman and I'm the Chairperson of the Board of Directors of the Committee to Aid Abused Women. I am also a paralegal and the Co-ordinator of the Domestic Relations Unit of Washoe Legal Services, a non-profit organization which assists members of the poor community with civil law problems. With me today is Susan J. Haveson, a Legal Services attorney, also with our Domestic Relations Unit.

During the past year alone, I've worked with approximately three hundred abused wives. While having enormously diverse lives and problems, each of them has wanted one thing above all else: physical safety. They want freedom from the state of fear in which they and their children live. Fortunately, most of us are able to take this basic freedom for granted. However, because of husbands who brutally beat, maim, and sometimes even kill them, and because at present the legal system in Nevada is unable to adequately protect them, physical safety and freedom from fear is often terribly difficult for battered women to achieve.

It is for this reason, and for the thousands of battered women that Legal Services, the Committee to Aid Abused Women, and many others will deal with in the future in Nevada that I am very pleased to have this opportunity to speak in favor of Assembly Bill 479. By

passing and supporting this legislation until it becomes law, you have the chance to prevent an enormous amount of suffering by abused women and their children, and perhaps even save some lives.

Injunctive relief, in the form of a Temporary Restraining Order (TRO), is the civil legal remedy most often utilized by battered women. The present law regarding injunctive relief, while well-intentioned, is cumbersome and vague. The time it takes to obtain a restraining order - from violent incident to service of the order making it valid - is often too long. Once obtained, restraining orders are ordinarily extremely difficult to enforce. Women who have moved out of their homes and initiated divorce proceedings and gotten restraining orders, are still being beaten up. Women who have divorced their abusive husbands and have overcome countless obstacles to create new lives for themselves and their children are still being assaulted.

A.B. 479 has two purposes - to make restraining orders easier and quicker to get, and to make them practical for police officers to enforce.

Section 5 of A.B. 479 is designed to expedite the process of obtaining a restraining order. First, if enacted into law, it will allow women who cannot afford to hire an attorney for the entire divorce procedure, usually costing upwards from four hundred dollars, to ask only that the Court grant a restraining order. Second, because Section 5 eliminates the need for a concurrent divorce, annulment or separate maintenance action, it will allow restraining orders to be obtained much more rapidly than at present.

There are three provisions in this Bill which are designed to

make temporary restraining orders workable, that is, enforceable. Section 4 allows the applicant for an order to request that, once granted, the order be transmitted directly to the police stations or sheriff's department in the jurisdiction in which the woman resides. The purpose of this provision is to create a mechanism by which law enforcement officers responding to a call can immediately verify whether or not a valid restraining order exists. Section 3, which limits the duration of restraining orders, is included for the same purpose.

The third "enforcement" section is perhaps the single most critical component of the entire proposal. Section 6, which states that "Any person who violates a temporary restraining order granted under this section is guilty of a misdemeanor," gives restraining orders the "teeth" they now lack. Instead of feeling limited to the frustrating response "it's a civil matter" police officers will be able to arrest a violator of a restraining order on the spot. It will let batterers know that beating their wives is a crime, and that if they batter they will have to suffer the consequences of their illegal actions. Finally, it will be a significant step toward the provision of concrete protection for battered women. If he violates the restraining order, the husband can be physically removed from the presence of his his wife and children immediately, before he can do more damage, doing away with days of waiting to contact lawyers, have documents prepared, and schedule court hearings. A misdemeanor clause similar to this one was enacted in California over a year ago and is proving very effective.

In general, A.B. 479 is a significant step toward the recognition of and solution to the tragic problem of family violence. If these proposals become law, battered women will find themselves one step closer to the protection they so desire, and deserve. Their children, pathetic victims of violence, will also be better protected. Last, police officers will find themselves with a specific method of enforcing laws which, for the most part, already exist.

There are two additional changes which I believe would strengthen this Bill enormously:

1. Section 1#1(b)2 should be changed to :

"A minor child of one of the parties, or"

It seems ludicrous that, under the current proposal, a woman would have to wait until she was seriously injured to get a restraining order. If her husband threatens to use a weapon to murder her, that threat should be sufficient.

2. Section 3 is unclear regarding whether the thirty-day restraining order can be extended. A clause should be added allowing the Court to extend the order immediately prior to its expiration if necessary, to afford continued protection.

Thank you for this opportunity to speak. Both Ms. Haveson and I will be happy to answer questions.

Respectfully submitted,

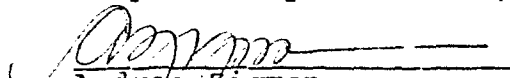

Andrea Zigman

EXHIBIT D]

ASSEMBLY JUDICIARY COMMITTEE

TESTIMONY ON INJUNCTIVE RELIEF

I was married for 6 years to a police officer and was physically and mentally abused throughout that period.

During the course of the 6 years, I was taken to the emergency room of the local hospital repeatedly with concussions, multiple bruises, and a few broken bones, one incident in which I had to have surgery to repair damages.

I wanted to escape and tried to several times, only to be found and brought back home and sometimes subdued with drugs. There were many threats made upon my life if I tried to escape again. Many times I was physically restrained from leaving. My children were very upset and quiet most of the time, not like normal children. Instead of watching TV in the living room at night, they would go directly to their rooms after dinner, to get away from the hassles. My husband would beat me in front of them and they would run to their rooms and sometimes pretend to be asleep. They knew and I knew we did not lead normal lives and they did not ever bring any friends home. I, myself, was not allowed to have friends at my house, and the only people who ever came around were some of his policemen friends. I was not allowed to speak or engage in any of their conversations. One incident stands out strongly in my mind, where something had happened and my husband was trying to determine the facts. He thought I was lying and he and a policeman friend sat me in the dark with a spotlight and gave me the "3rd degree". I was very afraid of this man and his friends and thought I would never live a normal life again. I was upset for my children and wondered if they would grow up normal. One night a policeman friend of his sat at my kitchen table and doodled on a piece of paper while I was getting beat up in the same room. It was impossible to defend myself since my 4'11" frame was no match for his 6'4" frame. I tried, in the beginning, to defend myself and I only got beat up worse. I was instructed to lay still and not fight or I would be killed. I was not even allowed to cry. Sometimes if I screamed, he would stuff rags in my mouth to keep me from screaming. Sometimes I would wake up at night being thrown off the bed or punched in the chest. Many times I was knocked unconscious and I was strangled.

Many times I called the police, but soon learned not to, for the policeman would come to the scene, he and my husband would talk out of my earshot and the policeman would leave and I would get beat up again. He kept a locked room full of weapons he used on his job, and I was afraid to ever talk back, or try to escape.

I am supporting this bill because of my personal experience, I feel lucky to have come out alive, much less sane. I believe in justice being done and I know this bill will be helpful to other battered women.

I would like to share some of my experiences that a bill like this would have helped.

Because of some people that came into my life, I was finally strong and brave enough to go to an attorney and get a restraining order and file for divorce. The first thing I was told to do was to take myself and my children and find housing for 3 days so he would have time to get all his clothes and personal items packed. When they served him the restraining order he found my car and came to the house where my friends had put me and my children up. He pounded on the door, demanding to be let in, screaming and shouting at me all the time. Even behind the locked door, I feared for my life. I called my attorney and advised him what was happening. He said to go into the bedroom and just let him holler and knock and wear himself out. He also said there was nothing that could be done unless he actually made a move to come in. He finally stopped pounding and shouting but stayed parked outside until well into the night.

After the 3 days were up, I was very reluctant to go home. I would come home from work at night and would see evidence of his being there. Things were missing, and food was being fixed, etc. I told my attorney and he said he would request the key back. Several times my children came home from school and would see his car parked in the driveway and would go somewhere until they saw him leave. He started leaving me notes on my kitchen table and opening my mail and leaving notes about the contents. Several times he would just come over and sit on the lawn in front with his attack dog and the children and I would lock all the doors and just sit there in fright. I would call the police and they would say he was not doing anything wrong. He would also sit in his car parked outside at nights, watching the house. He called up once in the middle of the night, wanting to know if there was anything wrong because he saw the lights in the house go on.

If he saw a car parked at my house he would run a check on the license plate and then leave me notes telling me all about the person whose car it was. I took the notes to the police department and showed them to the chief of police and pleaded to him for help because I was afraid. My husband laughed and told me that everything I gave to the chief, the chief would give to him. He said the whole department knew what a "bitch" I was and I had better not try to get him into trouble at his work. He would intimidate, or have his friends harrass, all my friends that he saw me with, male or female. If I would go somewhere, I was always followed, and I would get a call from my husband in the morning about my activities the night before. I lived in constant fear, afraid to go out, or have my children go out. I arranged for my children to be picked up after school and always left with someone when I was gone, with strict instructions not to let anyone in.

I was threatened that if I caused any trouble with his job, I would very likely be arrested for "anything they could make stick". He also explained and described in detail how he would put my dead body down a mine shaft, wrapped in plastic with some chemicals to

make the body disintegrate. I felt I had no place to go, no one who would listen or help, I felt cheated, because I had spent money I didn't have to get the restraining order.

One time he came in when the children were unguarded, I had relaxed my vigil and had stepped out for a minute and he kidnapped the children. The police department was no help, as a matter of fact, I was hung up on twice, until I called the chief of police at home in a panic. He attempted to pacify me and 3 hours later I got my children back and nothing was ever done about the incident. He would come over and force his way in the door but would sometimes leave if I screamed because my neighbors always had a lookout for his car in my driveway.

I repeatedly called my attorney about all these matters, and was told things just to be pacified for the moment.

One Saturday afternoon, he and another officer (not in uniform) pulled up in a truck and proceeded to take my furniture, and dishes, etc., and load them on the truck. I tried to get them out and they would just laugh and keep right on. My husband kept knocking me out of the way. I told him I would report him for manhandling me and he would smile at his friend and ask, "you didn't see me do anything to her, did you"? Of which his friend would reply "no". I left the house and called the police department and an officer gave me a report to fill out. All the while I was writing, they kept taking things out to the truck. I was just about through with the report and another officer came in, a friend of my husband's and took the report from me and ripped it up. He said in order to file a complaint I would have to go through my attorney, so I didn't need that report. I realized there was nothing I could do, I felt helpless, and I sat and watched them take my things. I called my attorney and he said he would take care of it. Nothing was ever done about that incident either, and he kept the things that he had taken that day.

In conclusion, I would like to add, I would like to remain anonymous for the public record, as I am a very respected citizen in my society today and a leader in my local church. I am currently a volunteer on a committee to aid abused women, and I see and hear a lot of the things I have just described to you and hope for the passage of this bill for alleviation of future pain in our society.

Respectfully submitted,

A previously battered wife

March 14, 1979

TO: Assembly Judiciary Members

RE: A.B. # 480

Thank you members of the Assembly Judiciary Committee.

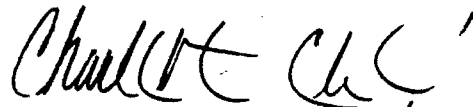
My name is Charlene Eley. I am a former police officer and am currently employed as a Correctional officer for the Women's Correctional Center in Carson City.

In my work at the prison, I see the results of lifetimes of battery: most inmates are women with low self-esteem who think that assault and battery are "normal" in domestic relationships. I see women who have been convicted of assaulting, shooting and even murdering their abusers.

What I'd like to talk about is prevention of these tragic end-results. We must start seriously telling men who batter that they are committing crimes which can be prosecuted. I believe that this bill will back up police officers on the street who really want to give battered women the protection they deserve. A.B. # 480 is a start in the right direction by adding a section to existing law which provides a gross misdemeanor penalty for battery against a member of that person's household.

Thank you for the opportunity to speak today.

Respectfully submitted,



Charlene Eley

EXHIBIT F



The FAMILY LAW REPORTER

Monograph No. 5

July 25, 1978

THE BUREAU OF NATIONAL AFFAIRS, INC.

Volume 4, No. 37

AUG 7 1978

THE PROGRESS OF STATE DOMESTIC VIOLENCE LEGISLATION

The following chart of "State Legislation on Domestic Violence," prepared by the Center for Women Policy Studies in Washington, D.C., indicates the growing state legislative concern with spousal abuse. In virtually every state, legislation addressed to this problem has been passed during the last few years or is now pending.

A variety of approaches is apparent in states' response to the problem. One is the establishment of shelters, so that the victims and their children can more often leave home when necessary. Some states have made it easier to obtain a restraining order barring the violent spouse from the home. Under some new statutes police officers, traditionally reluctant to interfere in family quarrels, are being better trained to deal with these situations and empowered to make an arrest without a warrant and without having witnessed the assault, given probable cause. In a number of states these remedies are available to unmarried cohabitants as well as spouses.

As indicated in the introduction to the chart, the information was gathered some months ago and in some instances may be out of date. FLR will try to ascertain the fate of legislation described as "pending." We know that at least two states have recently taken action which is not included.

The Alaska legislature has appropriated \$625,000 to fund a statewide network of shelters and continue operation of the Anchorage shelter, opened last year as a pilot project. The new Alaska criminal code permits "probable cause misdemeanor arrests" even though the police officer did not witness the assault.

In Minnesota, too, a new law (Ch. 724) permits probable cause arrests in domestic violence cases. This law also mandates arrest and detention in such cases, rather than issuance of a citation by the arresting officer, and trial judges are empowered to condition a sentence of probation upon the defendant's participation in counseling or some other appropriate program.

Large type represents events since August, 1978. Bills noted are items introduced this session in state legislatures throughout the U.S.

EXHIBIT G

STATE LEGISLATION ON DOMESTIC VIOLENCE

The following is a chart of the major provisions of state legislation generated by the concern about battered women that has grown over the past several years. The statutory material was collected with the help of the contacts for each state listed in the last issue of RESPONSE. These laws and pending legislation were assembled in January 1978 and no systematic attempt has been made to update the information. Recent changes in the information that have come to our attention, however, are reflected on the

chart. We have also included older comprehensive laws of the District of Columbia, Hawaii, and New York that deal with domestic violence. Similar statutes of other states may have been omitted because the criminal and civil codes of each state were not researched. The chart was composed for CWPS by Barbara Harvis, a third-year law student at Georgetown University Law Center.

STATE	CIVIL REMEDIES— INJUNCTIVE RELIEF	SHELTER SERVICES	DATA COLLECTION	POLICE TRAINING	SPECIAL CRIMINAL STATUTES	CONCURRENT RESOLUTIONS																	
ALABAMA																							
ALASKA		<ul style="list-style-type: none"> Laws of Alaska Ch 72 (1977) Shelter in Anchorage for one year Appropriation \$216,000 																					
ARIZONA																							
ARKANSAS																							
CALIFORNIA	<ul style="list-style-type: none"> Laws of Calif. Ch 720 (1977) Includes cohabitants TRQ for maximum of 30 days Ex parte relief—great or irreparable injury Relief is independent of Marriage Dissolution Proceeding Copy of order to LEA if requested by Violation Misdemeanor 	<ul style="list-style-type: none"> Laws of Calif. Ch 892 (1977) Statewide network of 4-6 pilot centers Appropriations \$280,000 Data collection Confidentiality of info 	<ul style="list-style-type: none"> Laws of Calif. Ch 908 (1977) Separates reporting of spouse abuse and child abuse 		<ul style="list-style-type: none"> Laws of Calif. Ch 912 (1977) Makes spouse abuse a felony Includes cohabitants Penalty imprisonment for not greater than 1 year 																		
SB9: Dom. Violence Prevent. Act. (1979)																							
COLORADO	<ul style="list-style-type: none"> HB 1670 (Pending) Domestic Violence Abuse and Protection Act See Penn. law Includes additional police enforcement and reporting provisions temporary custody not to exceed 74 hours for violation of order and likelihood of assault 			<ul style="list-style-type: none"> HB 1653 (Pending) Recordkeeping requirements by police Annual statistical compilation by general assembly 																			
CONNECTICUT	<ul style="list-style-type: none"> Pub. Act No. 77-336 (1977) PC hearing within 14 days of application Relief includes RC and VC Maximum duration 90 days unless action for marriage dissolution commenced Copy of order to applicant upon request Nonexclusive remedy Ex parte relief—immediate and present physical danger 	<ul style="list-style-type: none"> Special Act No. 77-87 (1977) Pilot program for shelter services Appropriation \$75,000 			<p style="text-align: center;">SPB5632 Sexual assault between spouses Class B felony.</p>																		
Amend. Sect. 46b-38; expand protection & coverage in statute																							
DELAWARE																							
DISTRICT OF COLUMBIA	<ul style="list-style-type: none"> DC Code Title 16 Ch 10 (1970) Includes cohabitants PC Relief includes RC, mandatory counseling Maximum duration 1 year Ex parte relief—safety or welfare of immediate endangers Penalty Contempt No husband-wife privilege in proceedings 																						
FLORIDA		<ul style="list-style-type: none"> HB 74 (Pending) Establishment and funding of diagnostic intervention centers Educational and informational programs Spouses only Confidentiality of information Mandatory police re- 			<ul style="list-style-type: none"> Subsection 901.15(6) Chas 77-67, Fla Statutes (1977) Provides for warrantless arrest when abuse not in officer's presence 																		
PASSED 6/78																							
GEORGIA																							
HAWAII					<ul style="list-style-type: none"> Sec 709-906 Haw I Penal Code (1973) Makes spouse abuse a misdemeanor Warrantless arrest if abuse in officer's presence 3 hour cooling off period if abuse not in officer's presence Violation Arrest Record expungement provision 																		
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Abbreviations in chart</th> <th style="width: 50%;">Footnotes</th> </tr> </thead> <tbody> <tr> <td>PO - PROTECTION ORDER</td> <td>1 Relief is without notice to the defendant</td> </tr> <tr> <td>RC - RESTRAINING ORDER</td> <td>1 Provisions are substantially the same as those listed on the chart under the Pennsylvania Protection from Abuse Act of 1976. Additional provision not found in the Pennsylvania law are listed</td> </tr> <tr> <td>VC - VACATE ORDER</td> <td></td> </tr> <tr> <td>TRQ - TEMPORARY RESTRAINING ORDER</td> <td></td> </tr> <tr> <td>LEA - LAW ENFORCEMENT AGENCY</td> <td></td> </tr> <tr> <td>J - DEFENDANT</td> <td></td> </tr> <tr> <td>v - PLAINTIFF</td> <td></td> </tr> <tr> <td>TOP - TEMPORARY ORDER OF PROTECTION</td> <td>11 Relief is in addition to any other available civil or criminal remedies</td> </tr> </tbody> </table>	Abbreviations in chart	Footnotes	PO - PROTECTION ORDER	1 Relief is without notice to the defendant	RC - RESTRAINING ORDER	1 Provisions are substantially the same as those listed on the chart under the Pennsylvania Protection from Abuse Act of 1976. Additional provision not found in the Pennsylvania law are listed	VC - VACATE ORDER		TRQ - TEMPORARY RESTRAINING ORDER		LEA - LAW ENFORCEMENT AGENCY		J - DEFENDANT		v - PLAINTIFF		TOP - TEMPORARY ORDER OF PROTECTION	11 Relief is in addition to any other available civil or criminal remedies			<ul style="list-style-type: none"> HB 742 (Pending) Provides for warrantless arrest when abuse not in officer's presence 	
Abbreviations in chart	Footnotes																						
PO - PROTECTION ORDER	1 Relief is without notice to the defendant																						
RC - RESTRAINING ORDER	1 Provisions are substantially the same as those listed on the chart under the Pennsylvania Protection from Abuse Act of 1976. Additional provision not found in the Pennsylvania law are listed																						
VC - VACATE ORDER																							
TRQ - TEMPORARY RESTRAINING ORDER																							
LEA - LAW ENFORCEMENT AGENCY																							
J - DEFENDANT																							
v - PLAINTIFF																							
TOP - TEMPORARY ORDER OF PROTECTION	11 Relief is in addition to any other available civil or criminal remedies																						

Center for Women Policy Studies, 2000 P Street, NW, Suite 508, Washington, DC 20036

STATE	CIVIL REMEDIES— INJUNCTIVE RELIEF	SHELTER SERVICES	DATA COLLECTION	POLICE TRAINING	SPECIAL CRIMINAL STATUTES	CONCURRENT RESOLUTIONS
IDAHO						
ILLINOIS	Ch 69 Sect. 25, Laws of IL (1977) • Spouses only • Injunctions include RO, VO for maximum of 30 days • temporary custody, counseling • Ex parte relief - immediate and present danger of *emergency relief without notice					
INDIANA	HB1462:CA with inj. relief					
IOWA	HF 2267 (Pending) • Protection from Domestic Abuse Act • Includes cohabitants • PO or consent agreement - hearing within 10 days • Relief includes RO, VO, possession of residence or alternate housing for = temporary custody or visitation • J has right to counsel • Defines PO violation (mere presence on premises = violation of eviction or alternate housing order) • Max. duration of PO 1 year • Ex parte relief - present danger of domestic abuse • Emergency night and weekend relief • Non-exclusive remedy • Violation - Contempt (Jail sentence may be on weekends)	HF 2147 (Pending) • Includes cohabitants • Authorizes counties to provide emergency shelter and support services S 2017 (Pending) • Funding for four pilot shelter and support programs • Educational programs • Uniform method of data collection and evaluation • Appropriation \$500,000	S 2057 (Pending) • Mandatory data collection by hospitals, doctors, nurses, and police HF 2267 (Pending) • Mandatory collection of data by state and local LEAs • Information relayed to central registry for child abuse • Limits access to registry information • Confidentiality of records			
KANSAS	SB 579 (Pending) now HB2068; SB 267 (1979) • Protection from Abuse Act • See Penn. law • Support payments, costs and attorney's fees • Provision for possession of personal property					
KENTUCKY	HB 499 (Failed 1978) Domestic Abuse Act • See Penn. law • Definition of abuse includes threat to commit crime likely to result in substantial property damage • Mandatory arrest if probable cause to believe assault or violation of PO • Police transportation to hospital or doctor • Police must inform victim of right to seek criminal or civil action • Husband-wife privilege shall not be used as exclusion grounds when evidence of abuse KRS 403.270 (Amended 1978) Child Custody Act • Abandonment of house where abuse is threatened not relevant in custody case (11-28-78)	HB 750 (Failed 1978) Prevention and Treatment of Domestic Violence Act • Establishes Governor's Commission on Domestic Violence • Authorizes six shelter facilities • Education program • Standard system for collecting and analyzing data • Appropriation \$1,000,000	HB 750 (Failed 1978) • Mandatory data collection by social service agencies and LEAs • Annual reports to Governor			
LOUISIANA					SCR 01 (1977) • Requests La. Department of Health and Human Resources to study problem	
MAINE		LD 2074 (Failed) • Establishment of emergency shelters • Appropriation \$200,000				
MARYLAND	HB53: spouse protection. Includes provision of trans. for retrieval of belongings	Ma Ann Code art 88a 101-105 (Supp. 1977) • Spouses only • Establishment of model shelter home	HJR 32 (Passed) • Recordkeeping by state police of incidents and resolutions		HJR 30 (Passed) • Recordkeeping by state police of incidents and resolutions	
MASSACHUSETTS		• Establishes temporary supportive residences H 1821 (Pending) • Victims of domestic violence included in assistance programs to persons deprived of living quarters Approved 7-17-78				
MICHIGAN	HB 6127 (Pending) Protection from Abuse Act • See Penn. law • More expansive relief (support orders, possession of residence) • Penalty for contempt, imprisonment for not greater than 6 months, fine not greater than \$1,000, or both • J does not have right to jury trial HB 5351 (Passed) • Violation of preliminary injunctive order - felony HB 5351 (Pending) • Proof of service of preliminary injunctive order must be filed with LEA HB 5352 (Passed) • Mandatory filing with LEA of RO in divorce actions by clerk	HB 5353 (Pending) • Establishment of temporary supportive residences • Includes cohabitants • Data collection • Appropriation \$500,000 HB 5306 (Pending) • Establishment of pilot assistance center • Includes cohabitants • Data collection • Appropriation \$500,000 HB 5281 (Pending) • Establishment of shelter	HB 5353 (Passed) • Uniform crime reporting system by local and state police	HB 5354 (Pending) • Police training in investigation of domestic assault cases	HB 5349 (Passed) • Includes cohabitants • Warrantless arrest when abuse not in police officer's presence • Mandatory arrest if probable cause to believe violation of preliminary injunctive order or peace bond HB 5356 (Pending) • Special probation provision for spouse with no previous convictions may require mandatory counseling	HCR 108 (1977) • Creates special committee to study the problem

HB5298: delete exemption of sexual assault by spouse from definition of criminal sexual conduct.

STATE	CIVIL REMEDIES— INJUNCTIVE RELIEF	SHELTER SERVICES	DATA COLLECTION	POLICE TRAINING	SPECIAL CRIMINAL STATUTES	CONCURRENT RESOLUTIONS
MINNESOTA	SF44: Courts grant injunction against dom. abuse, inc. restraining orders; temp custody awards & support orders. (1979)	Chap 42B (S.F. 124, 1977) • Establishment of four pilot shelter programs • Includes cohabitants • Educational program • Data collection and evaluation • Assistance to displaced homemakers • Appropriation \$500,000 plus \$100,000 for displaced homemakers	Chap 42B (S.F. 124, 1977) • Mandatory reporting of data by hospitals, doctors, nurses and LEAs			
MISSISSIPPI	SB2464: Protection from Abuse Act					
MISSOURI	HB 1023 (Pending) • See Penn. law • Right to relief not affected by self defense or by leaving residence to avoid abuse • No execution of bond by petitioner • Attorney fees paid by J if J loses • Relief is independent of marriage dissolution proceedings • Emergency night relief • Temporary custody (20 hrs) for abuse and violation of court order		HB 1023 (Pending) • LEA recordkeeping requirements • Confidentiality of records • Immunity to recordkeepers	HB 1023 (Pending) • Establishment of domestic crisis teams		
MONTANA						HJR 103 (Failed) • Requests study of battered spouse needs
NEBRASKA	LB 620 (1976) Protection from Domestic Abuse Act • Includes cohabitants • Relief includes TRO and TVO • Ex parte relief (irreparable harm, loss, or damage) • Applicant gets two free copies of order	LB 620 and LB 620a (1976) • Establishes comprehensive support services to victims, families, and abusers • Compilation of statistical data • Confidentiality of information • Appropriation \$175,000 for three pilot shelters		LB 620 (1976) • Education and training program for LEA	LB 620 (1976) • Mandatory counseling as condition of probation for abuse	
NEVADA	TBO		Confidential		*Gross misdemeanor	
NEW HAMPSHIRE						
NEW JERSEY	S 2156 (Pending) Battered Persons Act • See Penn. law	A 3168 (Pending) • Establishes shelters and comprehensive services • Includes cohabitants		A 3170 (Pending) • Special police training	A 3171 (Pending) • Person accused of assault, assault and battery or atrocious assault and battery may be kept away from marital residence for up to 72 hours	
NEW MEXICO					SBI4: warrentless	
NEW YORK	Family Court Act, Art. 8, NY Jud. Law (McKinney, amended by Chap. 449 (S. 6577-ARR4), 1977) • Spouses only • Initial concurrent jurisdiction in family court and criminal court, but exclusive remedy • PO (restraining, vacate, visitation, custody) Maximum duration: 1 year • Ex parte relief • Notice of PO to LEA • Violation: Maximum of 6 months jail • Conciliation procedures (pre-filing of petition) • Probation services, written agreements (court may enter PO in accordance with agreement)	Chap. 450 (S. 6616-ARR4) Laws of NY, 1977 • Permits Board of Social Welfare to approve establishment and operation of shelter homes	Chap. 449 (S. 6517-ARR4) Laws of NY, 1977 • Compilation of data by judiciary		484 (Laws of NY, 1977) • Gives criminal courts power to issue TOP as condition of pre-trial release and upon conviction to enter PO • Copy of order to police	arrests; restr. orde.
NORTH CAROLINA						
NORTH DAKOTA						
OHIO	HB 835 (Pending) • See Penn. law PASSED 11-78	HB 1080 (Pending) • Loan and grant program for purchase or renovation of buildings to be used as shelter, max. loan for 1 building: \$75,000 HB 987 (Pending) • Establishes program of family protective services • Include cohabitants • Recordkeeping provision • Appropriation \$5,000,000		Mandated by HB835 (adopted)	HB 957 (Pending) • Makes second or subsequent criminal assault against spouse a felony of 4th degree • Includes cohabitants • PO during pendency of action, 24 hour/day court, copy of order to LEA • Probation provision (suspended sentence) if participation in psychological treatment programs	
OKLAHOMA	HB 1620 (Pending) Protection of household Members from Abuse Act • See Penn. law					

STATE	CIVIL REMEDIES— INJUNCTIVE RELIEF	SHELTER SERVICES	DATA COLLECTION	POLICE TRAINING	SPECIAL CRIMINAL STATUTES	CONCURRENT RESOLUTIONS
OREGON	<p>Chap 845 (HB 2738) Oregon laws (1977)</p> <ul style="list-style-type: none"> Abuse Prevention Act Includes cohabitants Relief includes TRC (injunction or consent agreement temporary custody or visitation) Maximum duration: 1 year No undertaking required Relief not affected by leaving household to avoid abuse Non-exclusive remedy?? Petitioner must deliver copy of order to LEA Mandatory arrest for violation of restraining order. May be released on bail pending contempt hearing Limits criminal and civil liability of arresting officer 	<p>Chap 846 (SB 769) Oregon Laws (1977)</p> <ul style="list-style-type: none"> Grants for programs (including shelters) designed to prevent, identify and treat domestic violence 			<p>Chap 845 Ore Laws (1977)</p> <ul style="list-style-type: none"> Provides for mandatory arrest (unless victim objects) if police officer has probable cause to believe assault or fear of assault on spouse Includes cohabitants Limits criminal and civil liability for arresting officer 	
PENNSYLVANIA	<p>Act 218, Laws of PA (1976)</p> <p>Protection from Abuse Act</p> <ul style="list-style-type: none"> Includes cohabitants Right to relief not affected by leaving household to avoid abuse PO or consent agreements: hearing within 10 days of filing petition, proof by preponderance of evidence. J has right to counsel. Relief include: RO, VC, possession of residence, temporary custody and visitation, alternate housing. Maximum duration: 1 year Ex parte relief: immediate and present danger of abuse Emergency weekend relief Copy of order to J, * and LEA Non-exclusive remedy?? Violation: contempt 	<p>SB 964 (Passed)</p> <p>Amends Act 218</p> <ul style="list-style-type: none"> Clarifies when * may gain possession of household Provides that relief may include support order Emergency relief by Philadelphia municipal court judge Violation: indirect criminal contempt: maximum penalty 6 months in prison, \$1,000 fine or both; no right to jury trial Warrantless arrest for violation of order if probable cause (whether or not in presence of arresting officer) 				
RHODE ISLAND					<p>77-S-1009 Chap 256 RI Public Law (1977)</p> <ul style="list-style-type: none"> Makes domestic assault a misdemeanor Includes cohabitants Arrest must be made within 24 hours after commission of crime No recognition requirement 	
SOUTH CAROLINA		<p>S 795 (Pending)</p> <ul style="list-style-type: none"> Includes cohabitants Establishes pilot programs for shelter and support services Community education program Data collection and program evaluation 				
SOUTH DAKOTA	<p>SB 335 (Failed)</p> <ul style="list-style-type: none"> Provides for RO and VO Ex parte relief 					
TENNESSEE					<p>Tenn. Code Ann Sec 39-6-201 (1976)</p> <ul style="list-style-type: none"> Makes domestic assault a misdemeanor 	
TEXAS	SBI82: injunctive relief/Pilot centers					
UTAH						
VERMONT						
VIRGINIA	<p>Code of VA 16.1-279 (amended) 1978</p> <ul style="list-style-type: none"> Court order for counseling or treatment for either spouse J may have to pay for shelter care 	<p>HB 683 (Pending)</p> <ul style="list-style-type: none"> Two-year pilot shelter program Department of Welfare pays one-half cost for shelter 				
WASHINGTON					<p>Outlines duties</p>	
WEST VIRGINIA	<p>HB 1087 (Pending) HB743</p> <ul style="list-style-type: none"> Includes cohabitants Right to relief not affected by leaving household to avoid abuse PO or consent agreements: include RO, possession of residence or VO, custody to party with possession Maximum duration: 10 days (renewable for 10 days) Ex parte relief: only after notice to J, hearing within 72 hours: immediate and present danger of abuse Non-exclusive remedy?? Violation: contempt No husband-wife privilege under the act 	<p>Emergency Shelter provision protection</p>				
WISCONSIN						<p>AJR 36 (Pending)</p> <ul style="list-style-type: none"> Directs legislative council to study the problem of abuse of spouses
WYOMING						

SB87: syst for reporting incidents.

Outlines duties HB-438: Defines crime.



Northern Nevada NOW
P.O. Box 1265
Sparks, Nevada 89431

Testimony Given before the Assembly Judiciary Committee
On Assembly Bills 479, 480 and 481, March 14, 1979

Madame Chairwoman and Members of the Committee:

My name is Susan Hill. I am appearing before the Nevada State Assembly Judiciary Committee in my role as president of the Northern Nevada chapter of the National Organization for Women. NOW, an organization committed to bringing women under the full protection of American law, has been active nationwide to promote the just treatment of victims of household violence -- and to bring the perpetrators of such crimes under the force of criminal law. It is for these reasons that Northern Nevada NOW fully supports the bills under discussion today, AB 479, 480 and 481.

I am sure you are well aware of the alarming extent of the problem of household violence in America today. Even the most conservative statistics are convincing evidence that some of the most horrifying violence in the nation occurs not on the street, but in the home, among members of the same family. There are an estimated 28 million battered wives in the U.S.¹ FBI statistics indicate that an incident of wife abuse occurs every 18 seconds. Fully 70% of the assault victims seen in the emergency room of Boston City Hospital are women who have been attacked in their homes.²

Although Nevada is one of the states that has not yet implemented statistics-gathering legislation, we have reason to believe from the

¹Roger Langley and Richard Levy, Wife Beating: The Silent Crisis.

²Betsy Warrior, Wifebeating.

EXHIBIT H

EQUAL RIGHTS AMENDMENT: Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex. Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article. Section 3. This amendment shall take effect two years after the date of ratification.

work done by the household violence aid groups in northern and southern Nevada that the national problem is no less statistically evident here. And, unfortunately, the astonishing growth, overcrowding and housing shortages which Nevada's urban areas are experiencing are just the factors which contribute -- in families of all income levels -- to domestic abuse.

Northern Nevada NOW believes the three household violence bills recently introduced would be of great benefit to victims of these crimes, as well as the police and the courts. I would like to highlight just a few of the key sections of the proposed bills which would help to alleviate the current household violence problem in Nevada.

In the past, it has been most often the victims -- usually the wife and children -- that were forced to flee the home after an incident of violence. AB 479 (Subsection 5) would allow a married person (and minor children) to obtain the protection of a temporary restraining order. This bill would allow a wife, for example, to stay in familiar surroundings with her children, while attempting to work out a solution for the entire family.

AB 479 also gives authority to the police in several ways: the violation of a restraining order is a misdemeanor, and, under Subsection 4, a copy of the order can be transmitted to the local police department, so that an officer could simply radio to the station to discover whether a person were actually in violation of a restraining order.

Law enforcement authority is further clarified by AB 480, which spells out that battery committed by a member of the same household is a gross misdemeanor, subject to immediate arrest.

Finally, AB 481 would enable us to deal with household violence in the most effective manner, by establishing a registry to which doctors, dentists, clergy and others could report such cases. Total confidentiality would be assured; no names could be disclosed. However, the vital statistics of the cases of abuse would immeasurably increase the opportunities for efficient law enforcement.

The fact that Nevada already has a child abuse registry makes the implementation of this bill extremely cost-effective. In my opinion, it would be inexcusable not to extend the reporting of domestic violence to adults. The sooner we take this terrible problem out of hiding, the sooner we can deal with it under our laws.

TEMPORARY
ASSISTANT
FOR WOMEN

Members	Advisory Board	Board of Directors
Jacqueline Burton	Patricia Armstrong	Ron Lurie
Sandra Duran	O. Pat Barney	Peggy Mann
Suzanna Harig	Jean Buckley	Helen Marshall
Glen Miller	Jack Bongiorno	Florence McClure
Juan Sierra	Linda Cooper	Kathie Milene
Sherril Tracy	Manny Cortez	Emma O'Neal
	Tom deKroester	Dr. Arturo Rando Grillet
	Caroline Dowlen	Blaine Rose
	Antoinette Ellis	John Sarb
	Walt Featherstone	Della Schofield
	Jean Ford	Hon. Miriam Shearing
	Helen Hutchinson	Thomas G. Tat
	John Urue	

February, 1979

The following is statistical information compiled from the records of the Women's Crisis Shelter, P.O. Box 43264, Las Vegas, Nevada, 89104 (702-382-4428).

The majority of the information was reported to staff by residents at the time of her intake interview which occurs within 24 hours after a woman and her children are brought to the Shelter.

The information on the number of phone calls is gathered from a phone log which records and describes every call received at the Shelter.

Data has been collected for the months of September, October, November, December, 1978 and January 1979. The base figure for all the information except the number of phone calls is seventy-four (74) women and their children who resided at the Shelter during those five months.

LENGTH OF STAY

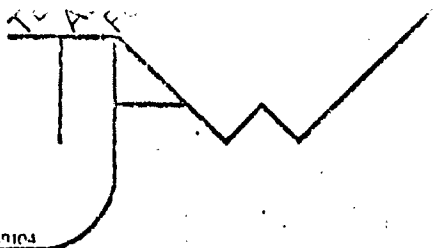
The Shelter advertizes a possible length of stay of four to six weeks.

35.1%	resided	less than one week
22.9%	resided	1-3 weeks
17.5%	resided	3-6 weeks
6.8%	resided	6-8 weeks
9.5%	resided	8 or more weeks
8.1%	were in residence at the time the data was collected.	

ETHNIC BACKGROUND

85.1%	white
12.1%	black
1.4%	Hispanic
1.4%	Native American (Indian)

Note: Race or ethnic background is not considered as a criteria for admittance. The statistics are gathered to see who actually is utilizing our service.



Sandra Dugan
 Susan Harny
 Glen Miller
 Joan Sloan
 Sherry Tracy

Pat Boney
 John Buckley
 Dick Burghart
 Linda Cooper
 Nancy Carter
 Tom DeKuester
 Caroline Dowlen
 Antonette Ellis
 Walt Featherstone
 Jean Ford
 Helen Hutchinson

Fanny Mann
 Helen Marshall
 Florence McClure
 Kathie Milane
 Emma O'Neal
 Dr. Arthur Rando-Gillot
 Blaine Rose
 John Sash
 Della Schofield
 Hon. Miriam Shearing
 Thomas G. Tait
 John Unruh

Kathleen DeLoach
 Mary Ellen
 Secretary
 Patricia
 Registrar
 Receptionist

1974 Los Angeles New 89104

AGE

.54.1%	aged	0-16 years (mostly children, only 2 battered women were 16 or under)
5.4%	aged	17-18 years
6.8%	aged	19-20 years
12.2%	aged	21-25 years
10.8%	aged	26-35 years
8.1%	aged	35-50 years
2.7%	aged	50 or more years

SUBSTANCE ABUSE PROBLEM *

- 63.5% of residents' physical abusers were alcohol abusers
- 5.4% of residents' physical abusers were drug abusers
- 2.7% of residents' physical abusers were drug and alcohol abusers
- 1.4% of the residents were alcohol abusers
- 1.4% of the residents were drug abusers

25.7% of the residents reported no substance abuse problem either with themselves or their physical abuser

* All statistics are situations as reported by the residents.

RESULT OF SHELTER INTERVENTION

- 31.7% established independent residences
- 36.5% moved in with friends or relatives
- 15.9% returned to abuser
- 15.9% residency unknown (either left without a departure interview or left with no specific place to go)

TOTAL NUMBER OF RESIDENTS FROM JUNE, 1978

143 residents

TELEPHONE

- John Buckley
- Susan D. Dwyer
- Suzanne Hanson
- Glenn Miller
- Elizabeth
- Sherry Jones
- O. Pat Krazy
- John Buckley
- Jack Burphom
- Archie Cooper
- Mary Carter
- Tom de la Cruz
- Lorelei Dowden
- Antoinette Ellis
- Walt Featherstone
- Jean Ford
- Helen Hutchinson
- Benny Mann
- Helen Marshall
- Florence McCune
- Kathleen McLean
- Emily O'Neil
- Dr. Arthur Francis Goffet
- Blaine Price
- John Smith
- Orville Schmidt
- Helen Miriam Downing
- Thomas G. Tait
- John Urrie
- Richard
- Walter
- John
- George
- John
- Barbara

2264 (Rev. 11-15-64) New 89101

TELEPHONE CALLS

	Totals
September	42
October	82
November	60
December	61
January	88

Average of 63 calls per month
 Average of 2.1 calls per day

These figures are comprised from calls from actual victims of physical abuse, from workers in community social service agencies trying to place women who have no place to stay, and from relatives and friends of women in crisis who are trying to get help for them.

WOMEN'S CRISIS SHELTER

Do you know how it feels to be beaten by your husband - the man you married for better or for worse, for richer or for poorer, until death do you part?

Do you know how it feels to be in a situation where you are afraid to go to sleep at night because you may be attacked in the middle of your sleep? Have you seen your own blood smeared all over the inside of a truck - no, you have not been in a vehicle accident, you had been beaten. Have you ever been beaten unconscious; and, when you came to had to beg to be taken to the hospital? Have you ever had someone knock out four of your teeth? Who would do such things? YOUR HUSBAND - no, MY HUSBAND.

I remember these things and much, much more - this was my life. I lived in constant fear. In the beginning it was miserable. I couldn't believe it was happening - neither could he. He was apologetic - very, very sorry "I just don't know why I did it" is the only way he could explain it. I shared in his sorrow. In fact, in the beginning I ended up feeling sorry for him because he was so ashamed of himself. I was sure it would not happen again. Then, as the slamming into walls and pushes to the ground became more frequent and turned into his kicking me and punching me, I became scared.

As the violence increased, I began to wish for either my death - or preferably his death. After a few real true-to-life beatings and seeing my blood spilled over and over again, I realized life wasn't worth living. If it wasn't for the baby, I would have killed myself.

I became paranoid. I was careful of each and every word I said to him. I didn't want to do anything that would upset him, because when he was upset, I was the one that received his vengeance. Neither did I want anyone else to upset him - this too could end up in my being beaten. In fact, it didn't take any real reason for him to attack me.

I learned early in our marriage not to scream for help. If I screamed, he became even more enraged, and the beatings became more intense. One time I remember screaming and suddenly his hands were tight around my neck - I couldn't breathe. I tried to pull his hands away, I couldn't, he was stronger than me. After he loosened his grasp around my neck he punched me in the stomach and said "go ahead and scream, go ahead and I'll punch you again".

His attacks on me usually occurred on Friday nights. That way he could keep an eye on me all weekend and make sure I didn't talk to anyone. I was a prisoner. He stayed by my side constantly. He also didn't want a phone in the house.

I remember he had been drinking at a neighbor's apartment across the courtyard. He didn't stay there long. When he came home dinner was

almost, but not quite done. When he asked why dinner wasn't ready, I told him it would be ready in a few more minutes. He became enraged. He yelled "forget it I'll go out and eat". He took off like a bat out of hell in the truck - and, quite honestly, I was glad to see him go - if he wasn't in the apartment, I had nothing to fear.

He was only gone a few minutes. I guess he realized he had actually left me in the apartment alone. When he returned he was furious. He started yelling and pushing me. He knocked me down on the kitchen floor and actually stood on my head all the time telling me he should crush my skull. "I'm sorry, I'm sorry", I said - for what? Sometimes saying this would snap him out of his anger. He then pointed to the kitchen chair. He told me to sit there and not dare move. I remember him picking up the pan of hot peas from the stove and pouring them over my head, my God that was hot. He then opened the refrigerator door. He took a half gallon of milk and poured it over my head. I felt cold, scared, but I did not move, and I did not scream. He then took the orange juice out of the refrigerator and poured it over my head, next the ice water - everything was poured over my head, running down my back, into my lap, down to the floor I had cleaned earlier in the day.

When he ran out of things to pour over my head, he told me I had ten minutes to get everything cleaned up spotless. I looked at the floor. Peas were scattered the length of the room, milk, orange juice, ice water. There was a sea of food on the kitchen floor. He had a thing about giving me a time limit to do things. If things weren't done within his unreasonable time limit, I was beaten. I was shaking and scared on my hands and knees trying to clean the floor. He counted down the minutes, all the while making comments like: you had better hurry up, you have nine minutes left, and if this place isn't cleaned up I am going to beat the hell out of you; six minutes - it doesn't look like you are going to get through in time; five minutes - quit shaking, it's slowing you down. When he got to three minutes, his attention shifted to our son. He picked our son up roughly, and hit him. I couldn't take it.

I ran for the front door, I ran as fast as I could into the courtyard and wrapped my arms around the railing on the steps. I was hanging on for dear life. He pulled on me - I screamed, I screamed so the whole world could hear me. If he was going to beat me in the courtyard, I wanted everyone to see it. He had bragged quite often to me of beating me so that there were no witnesses. I wanted the whole world to see. At this point he clenched his fist. He told me to get into the apartment. All I could say was, "why, so you can beat me again"? I screamed again.

My scream was not enough to ward him off, but a woman opened her curtains and made it plainly visible she was placing a phone call. He left and headed back to the apartment. I was terrified. The woman opened her door and told me to come in. I remember crying out of relief and feeling weak-kneed and finding it almost impossible to walk to her doorway. She had called the police.

When the police arrived, he was nowhere to be found. The police searched the area and found him holding our son hiding behind the apartments across the courtyard. A neighbor took our son.

The police asked me to go into our apartment with them. There they questioned me about what had happened. I told the officers. They gave me some advice - I should leave the State, get away from him. I told the officer I would if they could lock him up for the night - I would find somewhere to go - I would beg, borrow, steal to get the money to get away. I was informed this was a domestic matter. No, they wouldn't lock him up. They would ask him to stay away for the rest of the night, but they couldn't force him to stay away from his own apartment.

After the officers talked to him, they told me everything was fine. He was completely calmed down. The police told me they would watch the apartment that night if I would just forget the whole thing happened. I was reluctant, but they assured me over and over everything was alright. Then, hesitantly, I said okay if you will watch the apartment - what could I do? If the police weren't willing to lock him up, how could I be sure he wouldn't come back in the middle of the night and attack me? Where could I go? I had no money - I didn't even have a dime for a phone call. When I was pregnant, I didn't deserve to have money according to him. When I was working, he demanded my paycheck before it was cashed. He then would drive me to the bank when I cashed it and take the money. Any friends I had were his friends, and didn't want to help because that would make "him" mad.

There were constant threats on my life if I ever left him. One time in front of a group of people he said, "if _____ ever leaves me and takes _____ (our son), I will hunt her down and kill her." Just hearing those words that day sent a chill down my spine, because I honestly believed he would do it. He made the statement of threatening to kill me if I ever left him quite often after that first time.

One evening we were going to pick our son up from the babysitters. Our son was then just two weeks old. "He" was drinking a beer but seemed peaceful and relaxed. I was afraid to try to talk about things at home, so I thought then might be a good time to ask him a few questions. I asked him what was wrong, why did he get so upset. I asked him if he was happy, and suggested that if he was unhappy with me, I could leave.

He pulled the truck over to the side of the road. I asked, "are you going to tell me to get out?" He said, "no, I am going to kill you." With that I tried to open the window to reach outside the door to open it as there was no handle inside. He grabbed me, threw me back against the seat - he struck me in the nose with the beer bottle. I could feel the blood from my nose running down into my mouth. I threw my hands over my

face to protect it. He then began hitting me with all his strength on the side of my head. I begged him to stop, please, please, stop, please. Then, I passed out.

When I came to, I could feel the blood dripping down my face. I could see it on the window, the door, the dashboard, and on my clothes. He wound down his window and threw the bottle out.

I was scared. What was going to happen next. I asked him to take me to the hospital. I was flatly refused. I begged him to take me, please for the love of God, get me to the hospital. He said he would only take me if I didn't tell the police what had happened. I said, "I won't tell the police anything" - in the back of my mind I fully intended to tell the police everything. On the way to the hospital he briefed me on what to say. I was to say I fell down in the parking lot of Ceasar's palace.

When we got to Southern Nevada Memorial Hospital, he had to prop me up to help me walk. An orderly or something came rushing down the hall with a wheelchair. "he" said to him, "she can walk" and refused to have me wheeled to the emergency room. The orderly propped me up on his arm. Propped up between him and the orderly I went down the hallway.

Everything was blurry. I must have passed out again. The next thing I remember was a nurse shaving the hair on my head. I asked her what she was doing, and she said she was cleaning my head so they could sew my scalp back together. From what "he" told me later, they had also taken X-rays of my skull, but I don't remember this.

When I looked over to my left "he" was talking to a police officer. Apparently someone had called the police. I could hear him telling the officer I fell down in the parking lot at Ceasar's. Then the officer came to me. "He" was standing to the right of the officer, his face showed anger, and his eyes seemed to be telling me I had better say the right thing. I looked down at his hands - his fists were clenched so tightly his knuckles were white.

The officer asked me what had happened. I hesitated for a moment. I wanted to tell the officer the whole truth - but what would happen? What would "he" do if I told the truth? Would the officer be able to stop him before he attacked me in the middle of my statement? Was the officer strong enough to hold him back? Would "he" go to jail and be out on the streets again in a couple of hours looking for me? I was scared. I couldn't stand it. I knew what I had to say. I told the officer the lie - yes, I had fallen down in the parking lot. With that, the officer left.

I wondered to myself afterwards - why didn't they make "him" leave the room when I was questioned? Why was he allowed to stand there? Could I have found the inner strength to tell the truth if he were not there? I really felt I couldn't trust the police to help me.

There is no way you could ever feel the fear I felt during those years. It is a constant fear, day in and day out. A fear for your life, a fear of pain.

These are just two examples of what I went through. I haven't mentioned the time he knocked four of my teeth to the back of my mouth, the time he punched me in the stomach causing me to miscarry, the constant punches to my sides, my breasts, the back of my head - all areas that are concealed by clothing.

He had proven to himself that I was his property - the marriage certificate was a title of ownership. My being his property he could do with and to me what he pleased. One time he offered me to a friend of his in exchange for his friend's wife - I was told to go to bed with this man if his wife was willing - thank God she was not. I was not allowed to go to church - he didn't like going to church, and I couldn't go anywhere without him.

I had no home. I had a place to sleep, but that was it. Home was where I received real beatings - not just the punches in the middle of a Las Vegas street, or my hair being pulled out in clumps in a grocery store.

I grew to not trust anyone. There were times when the police had been called that they didn't even show up. When they did show up, there was nothing they could do - the majority of the time it was my word against his. He was careful, didn't like witnesses, and kept me totally dependent upon him. I hated him, I wished him dead more than a million times.

That was my husband - the man I was supposed to love, honor, and respect? The remembrances of my ex-husband are still there. I still have the scars on my head, scars on my lips, my tailbone never healed properly after he kicked it in and broke it, two of my teeth died, I still have nightmares, and my son still remembers seeing those beatings.

E X H I B I T J