

The meeting was called to order at 8:07 a.m. Senator Close was in the Chair.

PRESENT: Senator Close
Senator Hernstadt
Senator Don Ashworth
Senator Dodge
Senator Ford
Senator Raggio
Senator Sloan

ABSENT: None

SB 437 Requires counties to provide counseling and medical treatment to victims of sexual assault.

Florence McClure, Committee to Aid Abused Women, stated that there has been a problem with payment of victim's bills since SB 222 was modified in 1975 to take care of the victim on the initial visit to the hospital. We have no problem in Clark County because the District Attorney's Office and others have been going under NRS 449.244, Health and Care Facilities, which reads, "victims of sexual offenses are not charged for certain costs, such costs charged to the counties, A) any costs incurred by a hospital for the examination of the victim of a sexual offense when such examination is performed for gathering evidence for possible prosecution of the person that committed the offense; 2) initial emergency medical care for the victim shall not be charged directly or indirectly to the victim, such costs shall be charged to the county in who's jurisdiction the offense was committed." NRS 217.290 is the problem because it uses the word "may." The "may" came in because in 1975 Nash Sena introduced a bill, AB 664, which provided professional counseling in cases of trauma for a victim and/or a spouse, up to the amount of \$1,000. That came out of the committee on Health and Welfare, they used it by saying "a county may pass an ordinance." Inadvertently the word "may" came over into NRS 217.290. There has been problems in Washoe and other areas because of this conflict.

Senator Close asked if this bill deals with the actual treatment or is this the counseling provision.

Mrs. McClure stated that this bill is trying to deal with both of them, although they should be separated. In working with victims she has found that only 3 or 4 a year have come under such trauma that they needed professional help beyond what her group can furnish.

Senator Close stated that as he recalls the medical treatment was going to be mandated and the counseling permissive. This bill seems to confuse that somewhat.

Senator Sloan stated that Joel Cooper wished to testify on this bill, but had to testify elsewhere. Mr. Cooper stated that he would like an amendment put into the bill which would require a affidavit which would be a condition precedent to the county having to spend money. There would then be a statement showing that the psychological counseling had been recommended by a medical physician.

Mrs. McClure stated she felt that because of her counseling she and her staff would be in a better position of ascertaining if a victim was in need of real professional help. She stated she would like to be able for her group to sign a letter to state that they had tried to help a victim, but that her trauma was so severe that she needed professional counseling.

Senator Sloan stated that Joel's concern went to the point that there was something other than the person's allegation that there had been a rape. This would be a safeguard, if we are going to make it mandatory for a county to pay for this help.

Mrs. McClure stated that she thought the hospital record and the police officers complaint, signed by that victim, should be enough documentation.

Senator Dodge asked how many counties had programs like this.

Mrs. McClure stated that there were some young women from UNR that were starting one in the Reno area. There were two programs in the north, one in Reno and one at Lake Tahoe, but they disbanded because of the lack of funds. She stated that she had found out about the new Reno group from a woman police officer in Reno who needed help so badly that she went to UNR and talked to them to get some counseling for the victims in this area. She stated she had also gone to Washington where she spoke to a United State Senate Judiciary meeting, to get funding for these type programs. There would be no matching money required from the county or state government.

Senator Dodge stated that he felt it shouldn't be mandated at this time. The Legislation passed before was only to enable the counties that wanted to, to provide by ordinance this type of counseling.

Senator Sloan stated that it doesn't make sense to compel the smaller counties to pass ordinances when Clark County can do that right now, if they wanted to, and haven't done so.

Senator Hernstadt stated that this is only on a voluntary basis and if someone as dedicated as Florence couldn't get it done in Clark, then it couldn't be done on a voluntary basis.

Carolyn Norman and Sandy Becket, Coordinators of the Suicide Prevention Crises Center, testified in favor of this bill. Miss Norman stated that they had just gotten into the business of rape crises and that it had been at the request of the Reno Police Department, with the cooperation of Washoe Medical Center, Social Services Department. They have put into effect a pilot program of crises teams who are trained especially to work with rape victims. She stated it is a new program, but apparently from what Carolyn Carline, who is the Reno police officer advocate for rape victims, said that they have 3 reported rape cases a week, in Washoe. Our volunteers can offer that initial type of support and counseling and are here to support the bill for further health care for the victims. She stated that her group was also unaware, until yesterday, that some of the costs were being paid in Las Vegas.

Senator Close asked if none of the medical expenses were being paid in Washoe.

Miss Norman stated that they were not.

Miss Becket stated that they do pay the emergency costs for whatever tests are required to help in the investigation, but all other costs are left up to the victims. If the victim is beaten up or damaged in any other way, they have to pay for those costs.

Cal Dunlap, Washoe County District Attorney, stated that his only comment is that he is concerned about the county getting into this. He feels help should be available voluntarily. This help should be provided for by health services in the respective communities.

Senator Dodge asked if the county should cover the initial medical treatment.

Mr. Dunlap stated that if tests are required, or whatever, in trying to prove a case, then they should be responsible. If there is any physical injury, then it should be the patient's responsibility. Victims of muggings and such have to cover their own costs.

Senator Close stated that under NRS 449.244 the initial emergency medical treatment should be paid for by the county.

Mr. Dunlap stated that he was not aware of this statute. He stated that he is also in support of SB 439,

SB 439 Provides specifically that living together is not matter of defense or mitigation to prosecution for assault or battery.

SCR 29 Encourages training of police officers to deal with domestic violence.

AB 479 Provides injunctive relief in certain situations of domestic violence.

Senator Ford stated that she would like to make a statement on this package of bills dealing with domestic violence. "This is an issue that we have been turning our heads about, saying that it is the purview of the hum, and criminal justice says it doesn't belong there in looking at the problems. There are a lot of men and women today that feel that is correct. While we recognize the problems that law enforcement has had, when they do get into this area, there wouldn't be so many problems if we try to address some of these problems. One of these bills is for correct training for peace officers to deal with these kinds of situations. I think this has to be viewed as a public, rather than a personal problem."

Sue Wagner, Assemblywoman, stated that in addition to these bills, there is another bill, AB 480, which is being amended at the moment, which will provide for warrantless arrest's, under certain circumstances. She stated that domestic violence is probably one of the most misunderstood crimes in society and any serious acknowledgement of domestic violence that exists, challenges and intrudes on society's attitudes of privacy. Proof of the frequency of the practice is burried in divorce, assault and homicide statistics. A significant number of incidents remain unreported. Children who are beaten or exposed to domestic violence, are more likely to be violent with their spouses, once grown. In this state to break that chain of violence, are the bills before the Committee. There are more police calls for family conflict, than for murder, aggravated battery and all other serious crimes combined. In 1975, homicide within the family, made up approximately one-fourth of all murder offenses in America. Over half of these killings involved spouses killing spouses. She stated she has introduced another bill dealing with the collection of data on this, however she feels it will not fare as well, as it does require some money in terms of setting up a registry, such as was done in child abuse. AB 479 does provide injunctive relief in certain situations of domestic violence, and also applies to minor children. The point of the bill is to stop further violence. Based on a California Statute, she would recommend one amendment. The bill states, "the court may, upon the request of the applicant, transmit a copy of the restraining order to the enforcement agency." The California Statute says, "the court must", in order to have that restraining order on file.

Joni Kaiser, Coordinator for the Committee to Aid Abused Women, read her testimony to the Committee, (see Attachment A). She also presented some statistics that had been compiled on this problem in Northern Nevada (see Attachment B).

Senator Sloan stated that he supports these bills, but does not see where it adds anything to the law. The police know what the law is in this area, their difficulty is that it is very common for one spouse to file a complaint against the other, and then come in a day or two later and back off. There is the same problem with the restraining order in a divorce case. The police are not going to show up on a moments notice to enforce it, and if they do, based on his own experience, there are a great number of reconciliations among the people that want to get the restraining order in the first instance. The statistics show that there is a significant problem, but he feels these bills will not provide more than a cosmetic answer.

Miss Kaiser stated that she feels that AB 479 is the most crucial of the 3 bills. She feels that it must be on the books so that the people that want to take advantage of it can.

Senator Ashworth stated that he feels the most important bill, is the one on the education of the officer, on how to take care of these situations. He stated in looking over the statistics Miss Kaiser presented, it points out just how many officers are killed in these situations.

Miss Kaiser stated that it is an unfortunate situation because the police officers are expected to be social workers and mediators, and of course they are not trained to be. In these situations they are the only ones that can be called.

Senator Hernstadt asked if these are mostly married people or people just living together.

Miss Kaiser stated that that was difficult to answer. Many times though the people were living together, and then once they were married, that was when the abuse started.

Senator Raggio stated that from his experience, these are probably the most frustrating cases which a law enforcement agency or prosecutor can receive. They are the most difficult to handle, as the incident occurs between two persons, usually without a witness. For the law enforcement officer to act, it either has to occur in his presence, or there has to be a complaint or a warrant. The report is usually made by the victim, then between the time the report is made and the victim is asked to sign a formal complaint, 95% of them have a change of heart. He is not sure the situation will change even with the injunction and making the violation a misdemeanor. He stated that there is a peace-bond procedure in this state, but it isn't even worth the paper it is written on. The problem is that it is the victim that must be educated and convinced that they must follow through. When a victim starts calling a fourth or fifth time, it is like crying wolf, you almost get the feeling that the victim is a masochist and enjoys it.

Andrea Zigman, Chairperson of the Board of Directors of the Committee to Aid Abused Women, read her testimony to the Committee (see Attachment C).

Helen Pillard, State Chair of the Nevada Women's Political Caucus, stated that she represents this organization which consists of politically active men and women who have organized for two purposes. One is to work for specified candidates and to actively support legislation which is important to the betterment of women. The state membership, therefore, supports this package of legislation.

Elaine Holme, a therapist for the Rural Clinics in Douglas and Carson counties, stated that she had with her Jim Dornick, a psychologist in Douglas County, and they are here in support of these bills. She stated that most of the points had been covered, but she would like to state that it is most important to get both the man and the woman into therapy. She feels if the man can admit that he has a problem and that it is not alright to batter his wife or children, then we can work with him to change it. In her experience, with the few that do get into therapy, they seldom batter again.

Mr. Dornick stated, that one of the problems he sees, is that even though the woman is battered time and again, she feels it is better than not having anyone. Many of these women are in situations where they cannot leave because of a financial situation or small children in the home, and even if they could there is no place for them to go. He stated he feels the most important of these bills is the one dealing with the training of the police officers. It is difficult even for people that are trained to handle these situations to try to deal with the anger and resentment that are present between the two warring parties.

Senator Ford stated she would like to point out that most police officers have been brought up, like most men, with a "fight your own battles" type of philosophy. From the time a man is born, he is socialized into a masculine/feminine role. In our society it is dominance on the part of the man and submission on the part of the woman. When a police officer is asked to arbitrate a family dispute, no one is so absorbed with the use of actual physical force as the police officer, and no one requires more re-education than he, with what we are dealing with in these attitudes.

John Compston, Attorney/Coordinator for Nevada Peace Officers Standards and Training, stated that he has been in law enforcement for 9 years in Douglas County, Lyon County and the State. He stated that in their current training procedures, they are teaching the students about domestic disturbance. He stated that there is a recommendation to the Governor, in their budget request, to get some type of program going to train for handling these types of problems. He stated he had spent one week back at the

FBI Academy going through a class on crises intervention, domestic violence, and such. The problem is not just the marital disputes, but tenant/landlord disputes, neighbor disputes, the training is much more broad then just looking at the husband/wife situation. Having worked in the streets and out in the field handling several family disputes, it is very unnerving to go into these family situations where you have no idea what has or is taking place. If an officer tries to get a complaint signed, he usually finds that the victim will not press charges. There was a case in Douglas County where the woman had been battered on several different occasions. The fellow was arrested and during the time of getting him booked into jail he assaulted two officers. The next morning the wife came in and said she wanted to withdraw her complaint, but in the meantime other charges had been filed against him. He stated he does not feel that any officer feels that it isn't his responsibility to handle situations like this or a lack of training, they simply have no background in how to counsel these people. Many times it is the people themselves that need the education and he feels that there should be a good referral system that could help them.

Larry Ketzenberger, Las Vegas Metro P.D., stated that he can not disagree with any of the testimony that has been presented today. He stated his officers are trained to maintain a neutral attitude and not try to embarrass either party in front of the other. His people usually try to get one or other of the parties to leave, however, generally these women do not have the resources to go someplace else. He stated he is very much in favor of having the misdemeanor penalty, as he agrees that over the years, the peace-bond and the restraining order have been useless tools.

Mylan Barin Roloff, Legislative Member of the Northern Nevada National Organization for Women, stated that NOW, nationwide, has been working on programs to deal with domestic violence. She stated that she would agree that the bills will not solve the problems but it is a begining, and if there are no laws, there is no place to start. She also agreed that the abuser as well as the abused should be helped.

Mary Ann Royal, stated that she had two things to pass out to the Committee. The first is the progress of state domestic violence legislation (see Attachment D), and also a bibliography, which includes sources of professional journals dealing with this problem (see Attachment E).

Esther Nicholson, League of Women Voters, stated that most of the testimony given has covered what she wanted to say. She would just like to state that the League is in support of these bills.

Senator Close stated that he saw one problem, and that is that physical injury should be defined. In the case of a minor child, he felt it would be the severity, and there

should be some determination in the language.

Senator Dodge stated he felt that the child abuse laws would cover that and this language could be conformed to that.

After some discussion by the Committee they agreed that there should be emergency medical treatment as well as counseling for both spouses and it should be mandated. Also to delete the county ordinance in Section 1 of SB 437, leave in Section 2, but limit it to \$1,000. However, they concurred to take no action on any of the bills at this time until they could look at the other bills dealing with this that had not come over from the Assembly.

No action was taken on these bills at this time.

SB 449 Removes limitation based on sex for inmates of Nevada girl's training center.

Bob Edmondson, Deputy Director of the Department of Human Resources, and acting Administrator of the In-Services Agency, stated that he had with him Jay Miller, Superintendent from Caliente, and they would testify on this bill. Mr. Edmondson stated that this bill was submitted in the hopes of avoiding a crises at Elko. There are several factors that are causing additional population pressures. What has happened with the passage of Proposition 13, in California, is that it created pressures on the California Youth Authority, causing them to cancel a contract with us. There have been 7 to 8 boys housed in California in the past 4 or 5 years. In addition Clark County has initiated a program whereby second offenders for burglary are to be incarcerated. Also, right now, local money is begining to dry up for diversion. As that happens the courts will do something with these kids. Also, more boys are being held for more serious crimes, which of course also increases the time that they are held. The facility at Elko was built to house 160 beds, at the moment 175 are being utilized. The open dorms are being used with additional beds being put in there. The fear is that with the over-crowding, violent behavior could result, with injuries to staff. He stated that as far as the concern over sexual problems, the experience nationally, with co-ed facilities, has been that the people in those programs find that it has worked well, so there should be no problems in that area. Additionally, they plan to put the younger boys into the facility at Caliente.

Senator Close asked what the liability to the state would be if a girl should become pregnant.

Mr. Edmondson stated that he would assume that the liability would be similar to that if one inmate injured another.

Mr. Miller stated that the state is completely responsible.

Senator Close asked what the actual responsibility was, because it could be extended out to having a child during its minority, incarcerated with the mother.

Mr. Miller stated that he worked for many years in California and there was never one instance of a suit or a charge when a girl got pregnant. They usually became pregnant because of a run-away, or are out on parole, or something of that nature. He does not see it as a problem.

Senator Dodge asked if the boys would be isolated.

Mr. Miller stated that they would be in separate buildings. The only time they would be together would be for recreation or possibly at meals, which would depend on how many boys were housed there.

Mr. Edmondson stated that there were some amendments needed and he passed them out to the Committee for review. (See Attachment F.)

Senator Dodge asked if the situation were critical enough to make it affective on approval and passage.

Mr. Edmondson stated that the maximum capability would be reached sometime in the summer, and that would be 195 beds.

Senator Dodge moved that SB 449 be passed out of Committee with an "amend and do pass" recommendation.

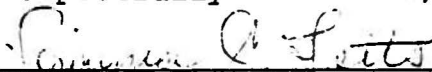
Seconded by Senator Sloan.

Motion carried unanimously. Senator Raggio and Hernstadt were absent for the vote. Senator Don Ashworth abstained, as he was absent for the testimony.

Meeting adjourned at 10:55 a.m.

APPROVED:

Respectfully submitted,


Virginia C. Letts, Secretary

Senator Melvin D. Close, Jr., Chairman

ATTACHMENT A
Committee to Aid Abused Women

Joni Kaiser
Coordinator

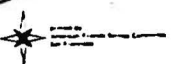
April 18, 1979

Senate Judiciary Committee, Nevada State Legislature

A.B. 479, S.B. 439, and SCR 29

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Thank you Mr. Close, members of the Senate 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 to 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

- * 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

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 in the Assembly and the Senate this session.

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 women 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 S.B. 439, which specifically provides that assault and battery charges can be brought by a person, even if that victim resided in the same household with the defendant at the time of the assault. This bill is simply a clarification of existing law insuring that domestic violence is a "criminal matter" not simply a "civil matter." A 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.

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 been fraught with

BATTERED HUSBANDS

EXHIBIT A

- * Statistics from New York City hospitals for 6 months in 1977 show that there were 490 cases of battered wives and 2 cases of battered husbands.
(Testimony of Susan Back, Ph.D.; Director, N.E.W. Services to Battered Women Project, Colorado Assoc. for Aid to Battered Women; testimony to U.S. House of Reps., March 16 & 17, 1978; Hearings on Domestic Violence)
- * Through research we have been able to accurately project that there are 25,000 abused spouses in our county -- 96% of whom are battered wives. These results fall in line with a study recently completed on a national basis by Dr. Murray Straus. (From the testimony of James Walsh, Exec. Director of Victims Information Bureau of Suffolk, Inc.; to committee (as above))
- * During the period 8/1/77 -- 2/1/78, 216 battered women, 1 battered man, and 5 battering men telephoned the Atlanta Council on Battered Women's office for help. (From the testimony submitted by Wyche Fowler, Jr., of Georgia, Member of Congress)
- * In Lafayette, Louisiana, "The Task Force, in checking with law enforcement agencies, discovered that over 2,000 calls on domestic violence were reported in 1976. Of that number, 95% were from women who were victims of abuse."
(Excerpt of a letter from the Lafayette Mayor's Commission on the Needs of Women; entered in the Hearings (as above))
- * In the year from May 1976 through May 1977, 60% of our 600 women divorce clients were beaten two or more times by their husbands (30% of these 360 women were beaten while pregnant). Of 100 men clients represented in divorce actions in that same period, 1 complained of physical assaults by his wife.
(From testimony of Marjory D. Fields, Attorney, Brooklyn Legal Services Corp.; at the above Hearings)
- * From the data collected by the New York City Crisis Centers and Brooklyn Legal Services, it is clear that women seek medical and legal help against serious violence by their husbands about 225 times more frequently than men.
(From "Battered Women Are Still In Need, A Reply to Steirmetz", by Marjory D. Fields and Rioghan M. Kirchner, included in the Record of the Hearings)

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 into 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 S.C.R.29, encouraging training of police officers to deal with domestic violence.

S.C.R.29 would be a positive approach to further the training of law enforcement officers within the State of Nevada. Hopefully, fewer officers will be killed and injured responding to domestic "dispute" calls and more victims will benefit from police intervention. S.C.R.29 is a positive step in the right direction and CAAW heartily recommends its passage.

I'd like to mention here a legislative need that is not yet before this Committee, but has been heard in the Assembly Judiciary Committee. A.B.481 would require reports of injurious domestic violence incidents to be made to a central registry for data collection purposes only.

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.

We have prepared what we believe is fairly comprehensive testimony about these bills from both experts in the field and general supporters. 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,
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
<u>288</u> TOTAL	<u>36</u> Unknown	<u>12</u> Unknown
	288 TOTAL	288 TOTAL

SOURCE OF REFERRALS

80 Crisis Call Line
84 Self/Friends
52 Legal Aid
40 Other Agencies
28 Hospitals 3
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

211 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.

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)

DOMESTIC VIOLENCE & POLICE

EXHIBIT B

* 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

SENATE COMMITTEE ON THE JUDICIARY

April 18, 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 a terribly difficult goal 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, a husband can be physically removed from the presence of his wife and children immediately, before he can do more damage, doing away with days of waiting to have documents prepared and signed and court hearings scheduled.

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.

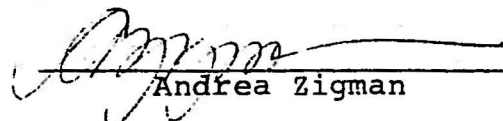
There are two additional changes which I believe would strengthen this Bill enormously:

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 women 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 it's 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



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.

STATE LEGISLATION ON DOMESTIC VIOLENCE

EXHIBIT D

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		<i>Laws of Alaska Ch 72 (1977)</i> <ul style="list-style-type: none"> Shelter in Anchorage for one year Appropriation \$216,000 				
ARIZONA						
ARKANSAS						
CALIFORNIA	<i>Laws of Calif. Ch 720 (1977)</i> <ul style="list-style-type: none"> Includes cohabitants TRO 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 	<i>Laws of Calif. Ch 892 (1977)</i> <ul style="list-style-type: none"> Statewide network of 4-6 pilot centers Appropriations \$280,000 Data collection Confidentiality of information 	<i>Laws of Calif. Ch 908 (1977)</i> <ul style="list-style-type: none"> Separates reporting of spouse abuse and child abuse 		<i>Laws of Calif. Ch 912 (1977)</i> <ul style="list-style-type: none"> 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 <ul style="list-style-type: none"> 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> <ul style="list-style-type: none"> Recordkeeping requirements by police Annual statistical compilation by general assembly 			
CONNECTICUT	<i>Pub. Act No. 77-336 (1977)</i> <ul style="list-style-type: none"> 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†† Ex parte relief: immediate and present physical danger 	<i>Special Act No. 77-87 (1977)</i> <ul style="list-style-type: none"> Pilot program for shelter services Appropriation: \$75,000 				
DELAWARE						
DISTRICT OF COLUMBIA	<i>DC Code, Title 16 Ch 10 (1970)</i> <ul style="list-style-type: none"> Includes cohabitants PO Relief includes RO, mandatory counseling Maximum duration: 1 year Ex parte relief: safety or welfare is immediately endangered Penalty: Contempt No husband-wife privilege in proceedings 					
FLORIDA		<i>HB 74 (Pending)</i> <ul style="list-style-type: none"> Establishment and funding of diagnostic intervention centers Educational and informational programs Spouses only Confidentiality of information Mandatory police referral 			<i>Subsection 90.15(6) Chap 77-67, Fla Statutes (1977)</i> <ul style="list-style-type: none"> Provides for warrantless arrest when abuse not in officer's presence 	
GEORGIA						
HAWAII					<i>Sec 709-906 Haw I Penal Code (1973)</i> <ul style="list-style-type: none"> 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 	

Abbreviations in chart PO - PROTECTION ORDER RO - RESTRAINING ORDER VO - VACATE ORDER TRO - TEMPORARY RESTRAINING ORDER LEA - LAW ENFORCEMENT AGENCY J - DEFENDANT = - PLAINTIFF TOP - TEMPORARY ORDER OF PROTECTION	Footnotes † 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.
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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 <ul style="list-style-type: none"> Spouses only Injunctions include RO VO for maximum of 30 days temporary custody, counseling Ex parte relief (immediate and present danger of abuse) 					
INDIANA						
IOWA	HF 2267 (Pending) Protection from Domestic Abuse Act <ul style="list-style-type: none"> 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 Δ 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) <ul style="list-style-type: none"> Includes cohabitants Authorizes counties to provide emergency shelter and support services S 2057 (Pending) <ul style="list-style-type: none"> Funding for four pilot shelter and support programs Educational programs Uniform method of data collection and evaluation Appropriation \$500,000 	S 2057 (Pending) <ul style="list-style-type: none"> Mandatory data collection by hospitals, doctors, nurses and police HF 2267 (Pending) <ul style="list-style-type: none"> 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) Protection from Abuse Act <ul style="list-style-type: none"> See Penn law Support payments, costs and attorneys fees Provision for possession of personal property 					
KENTUCKY	HB 495 (Failed 1978) Domestic Abuse Act <ul style="list-style-type: none"> 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 <ul style="list-style-type: none"> Abandonment of house where abuse is threatened not relevant in custody cases 	HB 750 (Failed 1978) Prevention and Treatment of Domestic Violence Act <ul style="list-style-type: none"> Establishes Governor's Commission on Domestic Violence Authorizes six shelter facilities Educational 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 <ul style="list-style-type: none"> Annual reports to Governor 			
LOUISIANA						SCR 21 (1975) <ul style="list-style-type: none"> Requests La Department of Health and Human Resources to study problem
MAINE		LD 2074 (Failed) <ul style="list-style-type: none"> Establishment of emergency shelters Appropriation \$200,000 				
MARYLAND		Md Ann Code art 88a 101-105 (Supp 1977) <ul style="list-style-type: none"> Spouses only Establishment of model shelter home 	HJR 32 (Passed) <ul style="list-style-type: none"> Recordkeeping by state police of incidents and resolutions 			HJR 32 (Passed) <ul style="list-style-type: none"> Recordkeeping by state police of incidents and resolutions
MASSACHUSETTS		Chap 647 (1977) <ul style="list-style-type: none"> Establishes temporary supportive residences H 1821 (Pending) <ul style="list-style-type: none"> Victims of domestic violence included in assistance programs to persons deprived of living quarters 				
MICHIGAN	HB 6127 (Pending) Protection from Abuse Act <ul style="list-style-type: none"> 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 Δ does not have right to jury trial HB 5351 (Passed) <ul style="list-style-type: none"> Violation of preliminary injunctive order felony HB 5351 (Pending) <ul style="list-style-type: none"> Proof of service of preliminary injunctive order must be filed with LEA HB 5352 (Passed) <ul style="list-style-type: none"> Mandatory filing with LEA of RO in divorce actions by clerk 	HB 5355 (Pending) <ul style="list-style-type: none"> Establishment of temporary supportive residences Includes cohabitants Data collection Appropriation \$500,000 HB 5306 (Pending) <ul style="list-style-type: none"> Establishment of pilot assistance center Includes cohabitants Data collection Appropriation \$500,000 HB 5281 (Pending) <ul style="list-style-type: none"> Establishment of shelter 	HB 5353 (Passed) <ul style="list-style-type: none"> Uniform crime reporting system by local and state police 	HB 5354 (Pending) <ul style="list-style-type: none"> Police training in investigation of domestic assault cases 	HB 5349 (Passed) <ul style="list-style-type: none"> 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) <ul style="list-style-type: none"> Special probation provision for spouse with no previous convictions may require mandatory counseling 	HCR 108 (1977) <ul style="list-style-type: none"> Creates special committee to study the problem

STATE	CIVIL REMEDIES— INJUNCTIVE RELIEF	SHELTER SERVICES	DATA COLLECTION	POLICE TRAINING	SPECIAL CRIMINAL STATUTES	CONCURRENT RESOLUTIONS
MINNESOTA		<p>Chap 42B (S.F. 124) 1977</p> <ul style="list-style-type: none"> 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 	<p>Chap 42B (S.F. 124) 1977</p> <ul style="list-style-type: none"> Mandatory reporting of data by hospitals, doctors, nurses, and LEAs 			
MISSISSIPPI						
MISSOURI	<p>HB 1023 (Pending)</p> <ul style="list-style-type: none"> 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 		<p>HB 1023 (Pending)</p> <ul style="list-style-type: none"> LEA recordkeeping requirements Confidentiality of records Immunity to recordkeepers 	<p>HB 1023 (Pending)</p> <ul style="list-style-type: none"> Establishment of domestic crisis teams 		
MONTANA						<p>HJR 103 (Failed)</p> <ul style="list-style-type: none"> Requests study of battered spouse needs
NEBRASKA	<p>LB 620 1978</p> <p>Protection from Domestic Abuse Act</p> <ul style="list-style-type: none"> Includes cohabitants Relief includes TRO and TVO Ex parte relief irreparable harm, loss, or damage Applicant gets two free copies of order 	<p>LB 620 and LB 623 1978</p> <ul style="list-style-type: none"> Establishes programs which support services to victims, families, and abusers Compilation of statistical data Confidentiality of information Appropriation \$176,000 for three pilot shelters 		<p>LB 621 1978</p> <ul style="list-style-type: none"> Educational and training program for LEA 	<p>LB 620 1978</p> <ul style="list-style-type: none"> Mandatory course required as condition of probation for abuser 	
NEVADA						
NEW HAMPSHIRE						
NEW JERSEY	<p>S 3156 (Pending)</p> <p>Battered Persons Act</p> <ul style="list-style-type: none"> See Penn. law 	<p>A 3168 (Pending)</p> <ul style="list-style-type: none"> Establishes shelters and comprehensive services Includes cohabitants 		<p>A 3170 (Pending)</p> <ul style="list-style-type: none"> Special police training 	<p>A 3171 (Pending)</p> <ul style="list-style-type: none"> 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	<p>Family Court Act Art. 8 NY JUD. LAW McKinney amended by Chap. 449 (S 6617-AB842) 1977</p> <ul style="list-style-type: none"> 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) 	<p>Chap. 450 5661B-4884J Laws of NY 1977</p> <ul style="list-style-type: none"> Permits Board of Social Welfare to approve establishment and operation of shelter homes 	<p>Chap. 449 56617-AB842 laws of NY 1977</p> <ul style="list-style-type: none"> Compilation of data by judiciary 		<p>Chap. 449 56617-AB842 laws of NY 1977</p> <ul style="list-style-type: none"> Gives criminal courts power to issue TOP as condition of pre-trial release and upon conviction to enter PO Copy of order to police 	
NORTH CAROLINA						
NORTH DAKOTA						
OHIO	<p>HB 835 (Pending)</p> <ul style="list-style-type: none"> See Penn. law 	<p>HB 1080 (Pending)</p> <ul style="list-style-type: none"> Loan and grant program for purchase or renovation of buildings to be used as shelter max. loan for 1 building \$75,000 <p>HB 987 (Pending)</p> <ul style="list-style-type: none"> Establishes program of family protective services Include cohabitants Recordkeeping provision Appropriation \$5,000,000 			<p>HB 957 (Pending)</p> <ul style="list-style-type: none"> 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	<p>HB 1620 (Pending)</p> <p>Protection of Household Members from Abuse Act</p> <ul style="list-style-type: none"> See Penn. law 					

STATE	CIVIL REMEDIES— INJUNCTIVE RELIEF	SHELTER SERVICES	DATA COLLECTION	POLICE TRAINING	SPECIAL CRIMINAL STATUTES	CONCURRENT RESOLUTIONS
OREGON	<p>Chap 845 (HB 7138) Oregon Laws (1977) Abuse Prevention Act</p> <ul style="list-style-type: none"> • Includes cohabitants • Relief includes TRO in conjunction 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. J 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 J and LEA • Non-exclusive remedy?? • Violation contempt 	<p>SB 964 (Passed) Amends Act 218</p> <ul style="list-style-type: none"> • Clarifies when J 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>TR 21109 Chap 259 R. 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. 39-6-601 (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 • 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						
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 J 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 35 (Pending)</p> <ul style="list-style-type: none"> • Directs legislative council to study the problem of abuse of spouses
WYOMING						

THE COMMONWEALTH OF MASSACHUSETTS

CHAPTER 447. AN ACT PROVIDING CERTAIN TEMPORARY PROTECTION FOR PERSONS SUFFERING ABUSE

Be it enacted, etc., as follows:

SECTION 1. Chapter 208 of the General Laws is hereby amended by inserting after section 34B the following section:—

Section 34C. Whenever a court issues an order to vacate the marital home under section thirty-four B, or an order prohibiting a person from imposing any restraint on the personal liberty of another person under section eighteen and section thirty-two of chapter two hundred and nine, and an order under chapter two hundred and nine A, the register shall transmit a copy of each order forthwith to the appropriate local law enforcement agency. Law enforcement agencies shall establish procedures adequate to insure that an officer at the scene of an alleged violation of such order may be informed of the existence and terms of such order. Law officers shall use every reasonable means to enforce such orders.

Any violation of the aforementioned orders shall be a misdemeanor, which shall be punished by a fine of no more than five thousand dollars or by imprisonment for not more than two and one half years in a house of correction, or both. The court shall immediately notify the defendant of the issuance of each order and every order issued shall bear the following language: "Violation of this order is a criminal offense."

SECTION 2. The General Laws are hereby amended by inserting after chapter 209 the following chapter:—

CHAPTER 209A. ABUSE PREVENTION

Section 1. The following words as used in this chapter shall have the following meanings:—

"Abuse," the occurrence of one or more of the following acts between family or household members: (a) attempting to cause or causing physical harm; (b) placing another in fear of imminent serious physical harm; (c) causing another to engage involuntarily in sexual relations by force, threat of force or duress.

"Court," the superior, probate or district courts.

"Family or household member," household member, a spouse, former spouse or their minor children or blood relative.

"Law officer," any officer authorized to serve criminal process.

Section 2. Proceedings under this chapter shall be filed, heard and determined in the district, superior court or the probate court of the county in which the plaintiff resides. If the plaintiff has left the residence or household to avoid abuse, he shall have the option to bring an action in the county of the previous residence or household or the new residence or household.

Section 3. A person suffering from abuse from an adult or minor family or household member may file a petition in the district, probate or superior court requesting any order which will protect him from abuse, including, but not limited to the following: (a) ordering the defendant to refrain from abusing the plaintiff, whether the defendant is an adult or minor; (b) order-

ing the defendant to vacate forthwith the household; (c) awarding the plaintiff in the case of husband or wife temporary custody of a minor; (d) ordering the defendant to pay temporary support for the plaintiff or any child in the plaintiff's custody, or both, when the defendant has a legal obligation to support such person; (e) ordering the defendant to pay to the person abused monetary compensation for losses suffered as a direct result of the abuse. Compensatory losses shall include, but not be limited to, loss of earnings or support, out-of-pocket losses for injuries sustained, moving expenses and reasonable attorney fees.

No filing fee shall be charged for such a petition.

Any relief granted by the court shall be for a fixed period of time not to exceed one year, at the expiration of which time the court may extend any order, upon motion of the plaintiff, for such additional time as it deems necessary to protect the plaintiff from abuse. The court may modify its order at any subsequent time upon motion by either party.

No order under this chapter shall in any manner affect any real property.

Any proceedings under this chapter shall not preclude any other available civil or criminal remedies.

Section 4. Upon the filing of a petition under this chapter, the court may enter such temporary orders as it deems necessary to protect a plaintiff from abuse, including relief as provided in section eighteen and section thirty-four B of chapter two hundred and eight and section thirty-two of chapter two hundred and nine.

If the plaintiff demonstrates a substantial likelihood of immediate danger of abuse, the court may enter such temporary order without notice as it deems necessary to protect the plaintiff. The court shall immediately thereafter notify the defendant and give him an opportunity to be heard as soon as possible but not schedule the hearing later than five days after such order is entered on the question of continuing such temporary order.

Section 5. When the court is unavailable after the close of business at the end of the week, a petition may be filed before any available district court justice who may grant relief to the plaintiff under section three upon cause shown in an ex parte proceeding. Immediate and present danger of abuse to the plaintiff shall constitute cause for purposes of this section.

Any order issued under this section shall terminate as of the close of business on the next day the court is in session.

Any order issued under this section and any documentation in support thereof shall be certified immediately by the clerk of the district court to the court. Such certification to the court shall have the effect of commencing proceedings under this chapter and invoking the other provisions of this chapter.

Section 6. Whenever any law officer has reason to believe that a family or household member has been abused, that officer shall use all reasonable means to prevent further abuse, including: (1) remaining on the scene as long as there is a danger

to the physical safety of such person without the presence of a law officer, including but not limited to staying in the dwelling unit; (2) assisting such person in obtaining medical treatment necessitated by an assault, including driving the victim to the emergency room of the nearest hospital; (3) giving such person immediate and adequate notice of his rights; (4) arresting the person if the officer has probable cause to believe that a felony has been committed, or a misdemeanor has been committed in the officer's presence, or a misdemeanor has been committed pursuant to section thirty-four C of chapter two hundred and eight. Said notice shall consist of handing such person a copy of the following statement written in English and Spanish, and reading the same to such person:

"You have the right to go to the district, probate or superior court and file a complaint requesting any of the following applicable orders for temporary relief: (a) an order restraining your attacker from abusing you; (b) an order directing your attacker to leave your household; (c) an order awarding you custody of a minor child; and (d) an order directing your attacker to pay support for you or any minor child in your custody if the attacker has a legal obligation to support them; (e) an order directing your attacker to pay you for losses suffered as a result of the abuse, including medical and moving expenses, loss of earnings or support, attorney fees and other out-of-pocket losses for injuries sustained.

"You have the right to go to district court and file a criminal complaint for threats, assault and battery, assault with a deadly weapon, assault with intent to kill or other related crimes. You may go to district court for an emergency on weekends or holidays.

"If you are in need of medical treatment, you have the right to demand that the officer present drive you to the nearest hospital or otherwise assist you.

"If you believe that police protection is needed for your physical safety, you have the right to demand that the officer present remain at the scene until you and your children can leave or until your safety is otherwise insured."

SECTION 3. Section 120 of chapter 266 of the General Laws is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences:— Whoever, without right, enters or remains in or upon the dwelling house, buildings, boats or improved or enclosed land, wharf, or pier of another, after having been forbidden so to do by the person who has lawful control of said premises, either directly or by notice posted thereon, or in violation of a court order pursuant to section thirty-four B of chapter two hundred and eight or section four of chapter two hundred and nine A, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both. Proof that a court has given notice of such a court order to the alleged offender shall be prima facie evidence that the notice requirement of this section has been met.

SECTION 4. Section 28 of chapter 276 of the General Laws is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Any officer authorized to serve criminal process may arrest without the issuance of a warrant and detain a person found by him in the

act of stealing property in his presence regardless of the value of the property stolen and may arrest without warrant and detain a person whom he has probable cause to believe has committed a misdemeanor under section thirty-four C of chapter two hundred and eight. Said officer may arrest and detain a person charged with a misdemeanor, without having a warrant for such arrest in his possession, if the officer making such arrest and detention shall have actual knowledge that a warrant then in full force and effect for the arrest of such person has in fact issued.

SECTION 5. Said chapter 276 is hereby amended by inserting after section 42 the following section:—

Section 42A. Whenever a court issues a criminal complaint and the crime involves assault and battery, trespass, threat to commit a crime, nonsupport, or any other complaint which involves the infliction, or the imminent threat of infliction, of physical harm upon a person by such person's family or household member as defined in section one of chapter two hundred and nine A, the court may, in lieu of or in addition to any terms of personal recognizance, and after a hearing and finding, impose such terms as will insure the safety of the person allegedly suffering the physical abuse or threat thereof, and will prevent its recurrence.

Such terms and conditions shall include reasonable restrictions on the travel, association or place of abode of the defendant as will prevent such person from contact with the person abused.

As part of the disposition of any criminal complaint, the court may establish such terms and conditions of probation as will insure the safety of the person who has suffered such abuse or threat thereof, and will prevent the recurrence of such abuse or threat thereof.

Such terms and conditions shall include reasonable restrictions on the travel, association or place of abode of the defendant as will prevent such person from all contact with the person abused; or the payment by the defendant to the person abused of monetary compensation for losses suffered as a direct result of the crime. Compensatory loss shall include, but not be limited to, loss of earnings or support, out-of-pocket losses for injuries sustained, moving expenses and reasonable attorneys fees.

In addition, the terms and conditions of either the probation or the disposition of the complaint may include, but not be limited to, referral of the defendant to a clinic, facility or professional for one or more examinations, diagnoses, counseling or treatment; requiring the defendant to report periodically to a probation officer; or release of the defendant to the custody of a residential treatment facility.

SECTION 6. The chief justice of the superior court and the chief judge of the probate court and the chief justice of the district courts shall jointly promulgate a form of petition for chapter two hundred and nine A of the General Laws, inserted by section one of this act, which shall be simple and permit a person to file a petition himself.

—Approved July 17, 1978
—Effective October 15, 1978

SOCIOLOGICAL PERSPECTIVE
ON SPOUSE ABUSE

Ball, Margaret. "Issues of Violence in Family Casework". Social Casework 58:3-12 (1977).

Familial violence as viewed by a caseworker. Unsympathetic toward battered spouses.

Flynn, John P. "Recent Findings on Wife Abuse", Social Casework 58: 13-20 (1977).

Discusses traditional cultural attitudes which sanction the crime of spouse abuse and protect abusers at the expense of the abused. Cites factors causing batterers to batter, i.e. mental disturbance, alcoholism, and extreme jealousy as precipitating violent behavior.

Gelles, Richard. The Violent Home. Beverly Hills : Sage, 1972.

Early, seminal work on domestic violence. Assumes wife-abuse to be a lower-class phenomenon, something which more recent studies have contradicted. Relates violent behavior to the individual's inability to cope with stress.

Gingold, Judith. "One of these days - POW! Right in the Kiss: the Truth About Battered Wives", MS. 5:51-2 (1976).

Summarizes Del Martin's book on the extent of the wife-battering problem and gives testimonies of formerly battered spouses.

Goode, William. "Violence Between Intimates", in Explorations in Social Theory. New York : Oxford Univ. Press, 1973, pp. 145-197.

Most murders occur between people who are acquainted; many are committed by spouses upon each other. Cultural morays include acceptance of this kind of behavior. Therefore, the prevalence of domestic violence relates directly to our socialization: "violence solves apparently impossible problems". (p. 177).

Martin, Del. Battered Wives. San Francisco : Glide, 1976.

At the time of its publication - and perhaps even now - this book was the most thorough treatment of the problem in the U.S. A comprehensive treatment of the sources, extent and nature of the problem is given by the author. The best single information source on the subject for general audiences.

Nichols, Beverly B. "The Abused Wife Problem", Social Casework 51: 27-32 (1976).

Discusses the need for and lack of social facilities to assist women wanting to escape their batterers. Factors include insufficient services such as long-term shelters, social assistance programs for job training and child-care, lack of counselling for disturbed children and beaten women, as well as assailants, and general lack of concern over the extent of the problem by the legal, educational, medical, and social worker communities.

Considered the harbinger of legal and social reform in Great Britain aiding battered women and their children. Its publication brought international acclaim and recognition to this 'silent' problem. It presents the plight of battered women firsthand, as they seek aid at the shelter which Ms. Pizzey ran to aid them.

Steinmetz, Susan and Murray A. Straus. Violence in the Family. New York : Dodd-Mead, 1975.

Compilation of previously-printed articles on domestic violence with especially good coverage of wife-beating. Gives reasons for sanctioning continuance of this practice as well as reasons why, after literally thousands of years of being sanctioned, these practices are being questioned and fought.

PSYCHOLOGICAL FACTORS AFFECTING
BATTERED AND BATTERING SPOUSES

Gelles, Richard J. "Abused Wives: Why They Stay", Journal of Marriage and the Family, 38: 659-668 (1976).

Gelles cites factors such as infrequent (i.e. unexpected) attacks, childhood experiences habituating individuals to acceptance of violence in human interactions, lack of personal resources to escape as reasons for women remaining in a violent home. Other factors include lack of personal resources and social services: i.e. no where to go and no one to turn to.

Hanks, Susan E. and Peter Rosenbaum. "Battered Women: a Study of Women Who Live with Violent, Alcohol-Abusing Men", American Journal of Orthopsychiatry, 47: 291-306, (1977).

Case studies of battered women. Cites evidence that women who have been repeatedly battered by their mates "take it" because of childhood experiences with violence as a part of life. Analysts worked with women to try to get the to overcome their masochistic tendencies.

"How I Stopped Beating My Wife", MS. 5:53 (1976).

A reformed wife-beater's explanation for battering his wife. He used his wife to vent his frustrations. Socialized acceptance of the compulsion to physically overpower his mate along with observations of violent behavior by his father upon his mother when he was a child were, he felt, major reasons for his abusive behavior as an adult.

Lunde, Donald T. "Cur Murder Boom", Psychology Today 6:35-39 (1975).

One third of all murders are committed by individuals known to their victims. One in every six female murder victims is killed by her mate. Amplifies serious consequences of accepting domestic violence.

ABUSED WOMEN AND THE LAW

Alexander, Shana. "When I Get Married", Guide to Women's Legal Rights. Los Angeles : Wollenscraft Press, 1975. Chapters 1 and 2.

Brief treatment of battery. Good information in state-by-state breakdown on grounds for divorce, i.e. cruelty.

Davidson, Terry. Conjugal Crime: Understanding and Changing the Wife-Beating Pattern. New York : Hawthorn Books, 1978.

Shows that the middle-class manifestations of wife-beating are kept secret largely because victims and the batterers have access to confidential services and do not discuss it. Urges legal reforms and greater social sensitivity to the problem.

Eisenberg, Sue E. and Patricia L. Micklow. "The Assaulted Wife: Catch 22 Revisited." Women's Rights Law Reporter 3: 138-161 (1977).

Survey of case and statutory law as well as of police and other legal practitioners' attitudes toward conjugal violence. "The Legal system has offered the battered woman only a band-aid for her wounds." (p. 139).

"How to Tell it to the Judge", Ms. 5:96 (1976).

How to get a restraining order, file a complaint, make a citizens' arrest and other crucial information on remedies available for abused spouses (surveys New York law).

Lowenberg, David A. "Conjugal Assaults: the Incarcerated or Liberated Woman", Federal Probation 41:10-13 (1977).

LEAA VWA (Victim Witness Advocate) program pilot project in Arizona. Program was geared to promote the public's willingness to report these crimes. Study of battered women discerned that they lived in emotional, social, and financial chains. Project was successful and the account documents its progress.

Maidmont, Susan. "Law's Response to Marital Violence in England and the U.S.A.", International and Comparative Law Quarterly, 26 : 403-433 (1977).

"No laws, however well enforced, can prevent marital violence." Excellent analysis of the limitations of legal remedies to this problem. Cites traditional legal sanctions which have not discouraged this phenomenon, however, and calls for increased sensitivity toward de-sanctioning wife-beating, making it a crime, not a husband's prerogative.

"Marital Rape Exemption". New York University Law Review 52:306-56 (1977).

"In most states a man may not be convicted of raping his wife no matter how seriously he injures her in the process." (p. 312). Another example of the chattel status of women.

Bard, Morton. Training Police as Specialists in Family Crisis Intervention. Washington, D.C. : U.S. Government Printing Office, 1970.

Attempt to formulate a strategy to prevent injury to either officers or family members during domestic disturbance calls. Conducted by the New York City Police Department 30th precinct together with CUNY students of clinical psychology.

Fojtik, Kathleen. How To Develop A Wife-Assault Task Force and Project. Madison, WI. : University of Wisconsin Extension, 1968. (Available from the Government Printing Office).

Information on how to gather, compile and disseminate statistics to inform the community and confirm the need for a local community shelter program and related services.

National Commission on the Observance of International Women's Year. Wife-Abuse Workshop Guide. Washington, D.C. :U.S. GPO, 1977.

Action-oriented recommendations for assisting abused women. Suggestions include how to set up a shelter, community awareness programs, and so forth. Furthermore, a study of our culture's acceptance of wifebeating by Martin is included. A list of shelters (at that time) throughout the country, speakers and their fees, films, publications, and organizations is provided.

Saunders, Donald G. "Marital Violence: Dimensions of the Problem", Journal of Marriage and Family Counselling 3: 43-52 (1977).

Suggested measures for intervention by society (via social services facilities) to aid victims with legal reforms, counselling, and shelters.

U.S. Commission on Civil Rights. Colorado Advisory Commission. The Silent Victims: Denver's Battered Wives. Washington, D.C. : U.S. GPO, 1977.

A study, the purpose of which was to gather primary data on the magnitude of the problem in Denver and possible solutions for allaying their problems. Recommendations were made by the Commission within the framework of extant and feasible local services. Good guide for step-by-step action plan-implementation.

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DEPARTMENTAL
DIVISIONS
AGING SERVICES
HEALTH
MENTAL HYGIENE-
MENTAL RETARDATION
REHABILITATION
WELFARE
YOUTH SERVICES AGENCY

April 17, 1979

MEMORANDUM

PROPOSED AMENDMENTS TO SENATE BILL 449

To totally effectuate the purpose of the bill, which is to remove the limitation based on sex for inmates of the Nevada Girls' Training Center, the following additional changes need to be made:

1. NRS 210.480(2)(h) - "Keep the public informed in regard to the activities and operation of the school, and disseminate other information which will acquaint the public with juvenile correctional problems [pertaining to females]."
2. NRS 210.480(2)(i) (1), (2), and (3) - refers to "her" and "she". Needs to be changed.
3. NRS 210.710 - "Any person who knowingly permits or aids an inmate to escape from the school, or who conceals any inmate or escapee with the intent or purpose of enabling [her] that inmate or escapee to elude pursuit, shall be punished:..."

Robert E. Edmondson

REE:mm

SENATE BILL NO. 449—COMMITTEE ON HUMAN RESOURCES
AND FACILITIES

APRIL 10, 1979

Referred to Committee on Judiciary

SUMMARY—Removes limitation based on sex for inmates of Nevada girls training center. (BDR 16-2090)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to juvenile correctional institutions; removing limitation based on sex for inmates of Nevada girls training center; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

1 SECTION 1. NRS 210.580 is hereby amended to read as follows:
2 210.580 1. It [shall be] *is* lawful for the courts to commit to the
3 school [female] minor persons between the ages of 8 and 18 years
4 whom they have found to be delinquents as provided by law. Before
5 any such person is conveyed to the school it [shall] *must* be ascertained
6 from the superintendent whether adequate facilities are available to
7 provide the necessary care to [such] *that* person. The superintendent
8 shall fix the time at which [such person shall] *the person must* be deliv-
9 ered, unless there are not adequate facilities available to provide the
10 necessary care, or there [are] *is* not adequate [funds] *money* available
11 for the support of the school, or, in the opinion of the superintendent,
12 [such] *that* person is not suitable for admission to the school. Upon the
13 written request of the superintendent, at any time either before or after
14 commitment to the school, the court may order commitment to a school
15 approved by the board outside of the [state of Nevada,] *state*, or to a
16 private institution within the [State of Nevada.] *state*.
17 2. The court may order, when committing a [female] minor to the
18 care, custody and control of the school, that the expense of [her] *the*
19 *minor's* support and maintenance be paid in whole or in part by [her]
20 *the minor's* parents, guardian or other person liable for [her] *the minor's*
21 support and maintenance. The [moneys] *money* so ordered paid [shall]
22 *must* be paid to the superintendent, who shall immediately deposit the
23 sum in the state treasury to be credited to the general fund.