

Research

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON JUDICIARY
SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
March 18, 1981

The Senate Committee on Judiciary was called to order by Vice Chairman Keith Ashworth at 9:05 a.m., Wednesday, March 18, 1981, in Room 213 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Keith Ashworth, Vice Chairman
Senator Don W. Ashworth
Senator Jean E. Ford
Senator William J. Raggio
Senator William H. Herxstadt
Senator Sue Wagner

COMMITTEE MEMBER ABSENT:

Senator Melvin D. Close, Chairman

GUEST LEGISLATOR:

Senator Floyd R. Lamb

STAFF MEMBER PRESENT:

Shirley LaBadie, Committee Secretary

SENATE BILL NO. 371--Provides financial assistance to organizations serving victims of domestic violence.

Senator Wagner stated S. B. No. 371 is an important bill and hoped the committee would consider it so. She said a great deal of time has gone into the drafting of the bill, some of the people in the audience have worked on this project for over a year. Information was gathered from other states and the obvious problems they have had in applying similar legislation. The work has been extensive and an amendment was made before the bill was introduced. Senator Wagner said this is not a unique concept, five states have similar legislation, California, Montana, Kansas, Ohio and Florida. The extra fee charged in these states in terms of increasing the marriage license fee has been: California, \$10;

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Florida, \$5; Kansas, \$5.60; Montana, \$9 and Ohio, \$10. There is currently pending legislation in five to ten states throughout the country. She said the Senate Judiciary committee is aware there is a problem with funding as the committee dealt with bills last session on domestic violence and the question is, how should this be financed. Private donations and federal grants are inadequate and on the decline, if public money is to be used, what sources are available. In over half of the states funds have been appropriated for services to violence families by means of a line item in the budget or by the way of a categorical appropriation for that purpose. In the past two years, five states have passed legislation which increases the marriage license fee. The money is used to fund shelter and service programs. Senator Wagner stated as being a former member of the Assembly Ways and Means Committee, was not interested in proposing legislation that would ask for a general fund appropriation. Today there are many groups looking to the state for the source of their funding and have turned many requests down because the general fund is stretched to its maximum. Senator Wagner told the committee domestic violent shelters need a permanent source of funding, the existing shelters have worked hard to raise money. The demands on their services are ever greater and there is a correlation between the demands for these kind of services and the kind of economic times of today.

Senator Wagner further stated there will be some real needs coming in the entire area of social services if the MX Missile system becomes a reality in the state. She stated this is a serious social problem and have recognized in this state, it is no longer a family matter but a part of a continuing cycle of violence. One way to break the cycle is to help these people, help them recognize their problems and provide a shelter for them when that is the only solution. She read a list of organizations sponsoring the legislation of S. B. No. 371, see Exhibit C attached hereto. Senator Wagner read a letter from Richard H. Bryan, Attorney General, State of Nevada, see Exhibit D attached hereto.

Ms. Jan Evans, Legislative Coordinator for Nevada Network against Domestic Violence presented the next testimony, see Exhibit E attached hereto for a complete analysis of S. B. No. 371.

Senator Raggio had questions concerning Section 3, concerning the situation where persons are living together and not married. Ms. Evans stated the section Senator Raggio was referring to comes from NRS 33 of the temporary restraining order and that mentions married and unmarried. The language in this section is

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congruent with that language in that it says by consanguinity or affinity, which means if a person is married or unmarried, they still may receive help. Senator Raggio said it was not his understanding of that language, and did not feel it covered the situation. Ms. Evans stated the bill could return to the language of NRS 33 which states married and unmarried, it might clarify the statement. Ms. Evans stated she would have research done for a legal interpretation of the language on line 10, page 1. The idea originally was that it was inappropriate to require a person to prove that they were married or unmarried.

Senator Keith Ashworth asked if under Section 3, that every county will be mandate to create an advisory board or is it permissive. If a small county does not have any domestic violence, would a advisory board have to be formed. Ms. Evans replied mechanism of the bill asks that the advisory boards be used to advise the commissioners in terms of reviewing the applications, it does not state if a board would need to be established. Senator Hernstadt said the bill does say shall. This would mean every county would have to create an advisory board. Senator Keith Ashworth asked if two or three small counties would be allowed to go together and create an advisory board. Senator Wagner stated in Section 3, page 2, line 12, the authority comes from the advisory board, the board can release money from that account on an annual basis to the board of county commissioners of any other county. Senator Keith Ashworth asked if consideration could be given to change the wording to may. Ms. Evans stated if that is changed, would that open the door to allow counties to take the option of having the advisory board. Senator Wagner stated this could be looked into. She said she had talked to the Chairman of the Government Affairs Committee because of his knowledge of boards and intercounty kinds of relationships might exist. The decision originally was to allow counties to join together, and it was his suggestion to go the other direction.

Senator Raggio advised the committee that if S. B. No. 371 is processed, the money would be a special earmarked fund in a county. In dealing with the legislation imposing caps on revenue or expenditures, some special exceptions will have to be made. Ms. Evans stated the concern was it would not be totally discretionary, community input and participation by citizens with the commissioners was important. She further stated it has been the policy of the established programs to help anyone in need, the major limiting factor, however, has been a lack of facilities.

Ms. Evans referred to Section 4 regarding grant eligibility. Senator Don Ashworth questioned why on line 21, page 2, it has

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limited it to nonprofit corporations incorporated in the state of Nevada. He said many corporations work in the state which are not Nevada domestic corporations. Ms. Evans stated the thrust of that statement is to ask that the organizations only serve domestic violence victims. She said the purpose of this is to have all the services located in a central place, rather than fragment services in different locations. Senator Don Ashworth stated a national domestic violence organization which was incorporated in Delaware, which had an office in Nevada, would be excluded. Ms. Evans asked if that was changed to allow for organizations incorporated out of the state, what would keep them from spending Nevada money out of the state. Senator Don Ashworth said that could be put in the law. Senator Raggio said he felt the bill was written originally to include only Nevada organizations. Ms. Evans stated it was a protectionary clause because doors could possibly be opened to abuses.

Ms. Evans pointed out that on line 34, page 2, there is no discrimination and men and women both are entitled to use the services of a shelter. Senator Don Ashworth questioned if this is needed to be put in the law as it is already a law of the United States. Ms. Evans answered that lay people are not always able to read statutes and understand them, it helps to educate people who are not attorneys and it was intended for that purpose. Senator Don Ashworth also questioned the use of telephone switchboards, small counties do not have a switchboard. Ms. Evans said with a 24-hour service, several options are available as to the handling of a call. Crisis call line is manned 24 hours a day, over the entire state. In Washoe County, the people who run the domestic violence center do not stay on the switchboard all the time, the call goes through crisis call when the board is closed. The crisis call line extends to every county in the state. Senator Hernstadt stated the language should be changed to be not so explicit as to a "switchboard".

Senator Don Ashworth also had a question on line 40, page 2, which refers to the storing and preparing of food. Ms. Evans answered that is part of what a shelter needs to do, because the people in the shelter are actually living there for a short period of time.

Senator Ford stated it should be made clear on lines 30 and 37, page 2, that victims also include victims and dependent children. The language should be explicit to cover these people. Ms. Evans agreed this should be added.

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Senator Don Ashworth questioned if a small county not having the money to provide a facility would have a hot line for persons in need of counseling. Ms. Evans stated a shelter facility would not need to be a separate entity. In some situations, volunteers are taking people into their homes on short-term basis, some motels are being used and this is being used in places not having the money to erect a facility. A shelter is required for a person in an emergency situation, the way the bill is written, that service should be provided.

Ms. Evans stated Section 5 provides a timetable for application, review, notification and disbursement. She said it would nice to see the bill take effect as soon as possible. The program will go into effect in January, 1981, however the marriage license fees will be increased September. She added if the bill could be put into effect upon passage and approval, it would helpful because more money would become available. Senator Wagner stated she had thought of that possibility and would suggest an amendment to cover this.

Ms. Evans stated in Section 6, any unused money at the end of the year would have to be turned back for use in other counties. Senator Don Ashworth said he felt that Section 7 was very limiting to the program as it is written. An organization, nonprofit, in a small county that does not have the money to provide a facility but does have the ability to provide the counseling, would be restricted from receiving a grant under Section 7. Ms. Evans said the bill is quite exclusionary in many ways, the thinking is that money should be given to those programs that are entirely for aid to domestic violence victims.

Senator Wagner stated that when the bill was redrafted, the authority was given to the Boards of County Commissioners to approve or deny an application for a grant. It was felt they should make the final decision.

Ms. Evans stated regarding supplemental aid, this is money in the counties which is unencumbered, unused and would go to a state agency. Senator Wagner stated when the bill was originally drafted, this would make another advisory board at the state level, and because of the numerous boards at the state level, it was decided to go with an existing board. This is supported by the Division of Mental Hygiene and has agreed to help with their board.

Ms. Evans stated Section 10 deals with amending NRS 122.060 which would increase the marriage license fee for this program. She stated this is not a unique funding idea, five states have passed

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bills increasing their fees from \$5 to \$10. This fee was arrived at by an appraisal of what was needed in all counties, the fee arrived at was \$6. However the people involved in drafting the bill were advised not to use a figure which would require the paying or receiving of one dollar bills as it creates a hardship for county clerks in making change. Since the fee is now \$20, by making the increase \$5, \$1 less than it was decided was needed, less revenue would be realized but reduces the burden on the county clerks.

Senator Hernstadt asked why this bill had not been sent to the Finance Committee when it appears the program is badly needed. The increase in the marriage license fee would make the state have the highest fee in the country. Ms. Evans stated during the 1979 session, an inquiry was made as to an appropriation for this program and no one was interested, it did not even go to a bill stage. Senator Wagner told the committee that during the 1979 session, she had been approached on this and she had legislation in for the displaced homemaker center and the concern was that the two would be confused and the reason to avoid going to the general fund is because there is consideration to remove the displaced homemaker center from the budget. Senator Hernstadt asked to receive information on the fees in all the states on marriage licenses. He suggested instead of taxing people getting married, that people getting divorces pay. Ms. Evans stated at the present time, marriage licenses amount to over 100,000 per year whereas divorces amount to 11,000 or 12,000. She stated that attorneys and judges have expressed views against the approach of taxing divorcing people.

Senator Raggio asked under Section 7, it appeared that the Mental Hygiene and Mental Retardation Advisory Bill was the appropriate one to advise the administering the division on the supplemental grant. Senator Wagner had addressed that situation earlier as to the use of the board and the reasons.

Ms. Evans stated in closing that the \$5 amount is what is actually needed and hoped that the committee would considerably favorably the passage of the bill.

Senator Raggio asked if anything had been worked up as to the allocation of the money received from the increased marriage license fee. Ms. Evans stated the money stays in its own county, it is not distributed evenly in the state.

Ms. Estelle Murphy, Director, Temporary Assistance for Women, offered testimony in behalf of S. B. No. 371. See Exhibit F attached hereto.

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Senator Raggio asked about the follow-up procedures for a client. Ms. Murphy stated the follow-up is six weeks, six months and one year after the departure. The person is advised they will have a follow-up done on them, they are called and talked to on the phone, if they cannot be reached, a form is sent out to be returned to the shelter as to any other services which might be needed by them.

Ms. Elaine Hoen, Advocates for Abused Women, Carson City testified in support of S. B. No. 371. See Exhibit G attached hereto.

Ms. Joni Kaiser, Coordinator of the Committee to Aid Abused Women, Reno-Sparks area, offered testimony in behalf of S. B. No. 371. See Exhibit H attached hereto.

Mr. Bill Curran, Chief Deputy, Clark County District Attorney, also Mr. Thomas G. Tait, Coordinator of the District Attorney Office Victims Services Division were next to testify. Mr. Curran stated Mr. Robert Miller had originally planned to testify but was unable to come. Mr. Curran stated his office has been involved in victim rights for some time, the national district attorneys association has been brought to a higher degree of awareness of victim rights and family abuse problems. He felt the problem should be taken care of in Nevada first. Additional remarks by Mr. Curran are attached hereto as Exhibit I.

Senator Raggio stated bills had been enacted last session dealing with domestic violence and asked if as a result, does the Clark County District Attorney have a policy to urge the follow-through of complaints and prosecutions. Mr. Curran stated it is a case by case approach, in a case where counseling has been effective, there is a need for people to get back together and discontinue within the criminal area, it is futile to try and force someone to continue when they do not want to. Some of these people do come back with other problems, we do try to give counseling and see that it is not under duress that a decision be made.

Senator Hernstadt questioned since the program is needed, why have the County Commissioners not come forward and made this a line item in the budget. Mr. Curran stated there may be a problem in the law, county officials may not have the authority to appropriate funds. Senator Wagner said Mr. Curran's answer is correct as stated.

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Mr. Don Helm, member of the board of Temporary Assistance for Women, Las Vegas stated some of the problems in providing a shelter have been in the area of funding. He felt this bill was good as it showed a remedy for funding this program, it will aid the group in being able to train and educate the community as well as first-line officers who deal with the problem. These officers do not have the resources or places to send a wife and child who have been battered for an emergency type situation. The only alternative if the husband will not leave the home, if the wife prefers charges is to arrest him. This does not solve the problem, the idea is to keep the family together. Mr. Helm stated in speaking for himself and his co-officers, they are in total support of S. B. No. 371.

Ms. Sandra Jolley, Pro-Family, Southern Nevada, stated when Jan Evans called asking for support for this bill, the reply given her was we were in opposition to HR 2977 which was the federal domestic violence bill, being opposed to programs which would be largely administrative and very little money left to deal with the problems directly. She asked to be informed of the work done on the bill, her group did research and gave input to the drafting of the bill and the result is that Pro-Family does support S. B. No. 371. Ms. Jolley stated there is a great need in southern Nevada regarding abused women that is not being met. Ms. Jolley stated she did not know if these shelters are meeting the needs and the help that is desirable for these women. However, after spending time with Estelle Murphy in her shelter, Temporary Assistance for Women, felt that the women going into that shelter are definitely helped. She was impressed with the caring, commitment and the work being done at the shelter. Ms. Jolley stated, with 85% of the money coming from the government, possibly the 15% be increased to a percentage that might encourage the tight-knit controls over the money which are received. She further stated the bill, although not totally exclusionary, in the section setting the advisory board for the county, suggests specific types of people on the board. It suggest experts and specialists in the field, she felt some leeway should be made in that board for the average citizen. She saw a problem with the same people providing the money, then also administering the program. She would like consideration given to this. Overall she stated she would ask the committee to consider this bill and assist in its passage.

Mr. Steve Brown, Washoe County Commissioner, also May Shelton of Washoe County Welfare Department testified in support of S. B. No. 371. He suggested that on page 1, line 10, the language read, after parent or other adult person, then to add the word, or child.

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Mr. Brown further asked on line 14, page 1, after domestic violence, add the words or use an established advisory board that advises the board of county commissioners on social service matters. He stated there is a social services board which exists in Washoe County now, Ms. Shelton is suggesting that with the addition of one member, such as a victim of domestic violence, given that option, they would be able to use that board, Senator Wagner asked to have a list of the people on that board and the interests they represent. If specific language is written in, it may not be appropriate. Ms. Shelton advised Senator Wagner she would obtain the information requested.

Senator Hernstadt asked why the county commissioners have not allocated funds for these programs. Mr. Brown stated one of the problems facing counties is the very narrowness of the statute that prescribes what may or may not be done in terms of community support. There are approximately 50 to 60 groups applying for community support in Washoe County on an annual basis, most of them are wiped out before money is discussed because they are not eligible under state statute. It is a very questionable item. He advised the committee legal counsel has rendered an opinion that this particular program under current statute is ineligible for county funding. Senator Hernstadt asked if an amendment should be drafted to allow county funds to be added to the program, if necessary. Mr. Brown stated it would be agreeable.

Senator Raggio stated the primary causes of these domestic violence problems is alcohol and drug abuse and the list of people interested in these problems is very impressive. He would suggest that these various interests could divert some of their time in the area of dealing with these abuses in the state. Senator Raggio asked if it would be legal for the county to direct funds for the establishment of a detoxification center or programs to deal with persons afflicted with this problem. Mr. Brown stated tremendous amounts of money have been spent over the years on this problem however long-term funding is need to pull Reno-Sparks and the county together to establish a center.

Mr. Brown further stated on page 2, line 6, which states establish within the county general fund an account, he would like to see that wording changed to read, establish an enterprise fund for assistance to victims of domestic violence. On line 30, page 2, he would suggest some modification to provide services exclusively for victims of domestic violence. In most instances of domestic violence, substance abuse is the main problem. He stated there are programs in Washoe County working with substance abuse which are capable of providing additional services for victims of domestic

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violence. On page 2, after line 17, it is suggested that another section be added that would make appropriations of funds to a county department that provides services to victims and perpetrators of domestic violence for treatment or prevention programs. On page 2, line 47, there are problems with the entire time framework, if the bill is passed, he would suggest it should start in July. Language should be used which will allow counties to use application procedures and deadlines which are compatible with their budgeting process for the ensuing year. Also on page 3, line 13, it is suggested disbursement of grant funds be according to county procedure, normally the decision regarding the funds is made before the fiscal year begins. Funds are dispensed on a quarterly basis and believe in the audit trail and at the end of each quarter file a financial report with the county prior to the disbursement of the next quarter. Senator Ford stated discussion resulted in the decision to put in broad language which would allow each county to develop its own timetable.

Mr. Brown suggested Section 6 is not needed, any unencumbered balance in the counties account can be spent in Washoe County. Senator Ford stated the small counties do have a problem, but Washoe County could benefit if the small counties do not create a shelter, the money could be given to the larger counties. Mr. Brown stated in the next two to five years with the MX and the expansion of the mining industry, he felt all the small counties will be looking for all the money they can. Ms. Shelton suggested language be included in the bill which would give the counties the option to return the money if desired but not make it a requirement. See Exhibit J attached hereto for proposed changes.

Mr. Joe Midmore, representing a group of wedding chapels, about 1/3 of the chapels in the state, stated he would like to appear in favor of the bill, but has to temper that with about 75 to 80 percent in favor. He is concerned with the funding plan. In original discussions with Senator Wagner and Ms. Evans, his group felt if it was necessary to raise the marriage license fees, a two dollar increase would be agreeable, then the decision was to go to \$2.50. They felt the \$5 increase was too high. The group is in accord with the purposes of the bill. Mr. Midmore stated the person who stated it was appropriate to charge Nevada people for this program, was mistaken. Of the 120,000 marriage licenses issued in Nevada last year, about 95% were out-of-state people, the people of Nevada will not be paying for this program, the tourists will. He stated California has a law which makes the marriage industry system fragile, it is Public Law 4213 which states a couple may be issued a marriage

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license by a minister without a waiting period or blood test if they are willing to sign a paper that they are already living together as man and wife. It was put on the books quite sometime ago and placed there for people who had been living common law, had children and did not wish a marriage late in life to go on public record. 50,000 couples took advantage of that law last year in California, wedding chapels are very active with that law. He stated the wedding industry in the state is not as sturdy possibly and as indestructible as is thought. He felt general fund money should be used for this program, rather than earmarked funds, that is a personal opinion. He felt the funding of this program is endangered by increasing the fee the full \$5 and asked that alternatives be investigated.

Senator Wagner stated in looking over the statistics on marriage licenses, the decreases were minimal, during 1978-79, in Washoe County, the decrease was .01%. The decrease between 1979-80 was .02%, Clark County increased on total marriage licenses sold 1.01% in 1978-79 and in 1979-80, 1.003%.

Chairman Keith Ashworth advised all other people in the audience who were unable to testify due to lack of time to present written testimony to Senator Wagner which will be placed in the record to be reviewed by the committee. (Exhibit K, Exhibit L, Exhibit M, Exhibit N, Exhibit O, Exhibit P)

Senator Raggio asked for a committee introduction of a bill drafting request. It was presented and received by the committee.

BDR 2-1310 (Senator Raggio) (S.B. 432)

Increases number and allowances of costs for expert witnesses.

There being no further business, the meeting adjourned at 11:00 a.m.

Respectfully submitted:


Shirley LaBadie, Secretary

APPROVED BY:


Senator Keith Ashworth, Vice Chairman

DATE: March 24, 1981

SENATE AGENDA

COMMITTEE MEETINGS

EXHIBIT A

Committee on JUDICIARY, Room 213.
Day Wednesday, Date March 18, Time 9:00 a.m.

S. B. No. 371--Provides financial assistance to organizations serving victims of domestic violence.

SENATE COMMITTEE ON JUDICIARY

DATE: March 18, 1981

EXHIBIT B

PLEASE PRINT NAME	PLEASE PRINT ORGANIZATION & ADDRESS	PLEASE PRINT TELEPHONE
John Anderson	Pro-family 430 Barcelona Dr. CC	883-7954
Doreen Tupper	Pro Family 739-16 1/2 St. Sparks	359-0808
DONNA J LEE	FERNLEY MHC FERNLEY, NV	575-2476
Lynn Tennant	Family MHC Family	575-2476
Debra Hoen	Advocate for Abused Women CC	883 7654
Joni Kaiser	CAAW 1235 Pyramid Way Sparks	358-4150
Letitia Murphy	TAW P.O. Box 43254 CI NV	382-2509
Jessie Rogers	CAAW 1235 Pyramid Way Sparks	358-4150
Jandra Jallen	Pro Family at So Nev.	385-2791
Carl Bishop	Washoe Co. Demo. central Comm.	747-1819
Rev. David Anderson	Nevada Conf. of Churches E.D. EMONS	892-0672
Jerry Grieshaber	MH/ME	885-5943
Belle Williams	Washoe Co. Commissioner	322-9420
Stephanie Spontak	108 Greenwood Dr	826 8390
Mary-Ann McNeill	4310 Del Paso Dr Reno	825 8150
Melissa Sahn	Washoe Co. CETA 120 S. Wells Reno	785-6106
Sheila Bell	" " "	" "
Debbi McLaw	Springton Synoptomist Int.	463-4539
Donald F. Robery	Synoptomist Springton	463-3669
James Allen	Committee to Aid Abused Women	358-4150
Johnnie D. Lee	C.A.A.W. - Golden Springs Reno	925-4189
Elizabeth Sieber	C.A.A.W. 1235 Pyramid Way, Sparks	358-4150
Morton Sieber	American Friends Service Com & CAAW	358 4150

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PLEASE PRINT NAME	PLEASE PRINT ORGANIZATION & ADDRESS	PLEASE PRINT TELEPHONE
Jean Bonar	AAUW 865 Lyman Ave Reno	786-2532
Sherrill Fiteatruck	AAUW 1555 Ridgeview Dr. #222 Reno	826-9757
Quinn [unclear]	AAUW 6450 [unclear] Reno	826-6963
[unclear]	AAUW 4252 Baker St Reno	751-7711
THOMAS G. TAIT	CLARK CO. D.A.'S OFFICE CLERK TO NV 8116	326-4779
Bill Cotton	" "	" "
Pat [unclear]	2461 Carnation St Reno	422-7452
[unclear]	478 [unclear] Reno	322-3362
[unclear]	2330 Federal Blvd (UNION STATION)	422-6602
[unclear]	3000 Grand C	862-8101
DIANE [unclear]	Church Women United 600 Humboldt Reno	322-8318
Jean Loveless	Church Women United 2895 Moore Reno 89500	422-8318
[unclear]	Reverend [unclear] Falls	422-3665
Janice Poroski	Observer 800 E. [unclear]	895-7557
NAZEL [unclear]	2402 [unclear] Reno	322-8318
[unclear]	3000 [unclear]	7-7-3-
Linda Gardner	CAAW	
Mary Trazine	CAAW	
Angela Peppers	CAAW	359-8741
Shannon M. Malen	C.A.A.W	822-8318
Lou McAhee	Constituent	826-8357
Connie Webb	CAAW	322-5989
Bothy Fulkerson	(AAUW) - 1235 Pyramid spks 8943	358-4150

Nevada Network Against Domestic Violence

LETTERS OF SUPPORT FOR S.B. 371

EXHIBIT C

American Association of University Women- Reno Branch
American Association of University Women- Nevada State Division
Anne Martin Women's Political Caucus
Associated Students of the University of Nevada
Attorney General's Office, Carson City
Capitol Women's Political Caucus
Carson City Employees Association
Carson Regional Council on Alcohol and Drug Abuse
Center for Religion and Life
Community Cooperative Services Inc.
Church Women United
Douglas County Women's Political Caucus
Eastern Nevada Council on Alcohol and Drug Abuse (Elko)
First United Methodist Church- Social Concerns Committee
First United Methodist Church- Pastor
Governing Board of Rural Clinics
Inter-Tribal Council of Nevada
Jewish Family Services of Las Vegas
Las Vegas Junior Women's Club
Sally LeEoy, Marriage and Family Counselor
Frederick U. McEba, Benefit for CAAW 1981
Nevada ACORN
Nevada Conference of Churches
Nevada Federation of Republican Women
Nevada Home Economics Association

Nevada Network Against Domestic Violence

Nevada Nurses Association
Nevada Urban Indians, Inc.
Northern Area Substance Abuse Council
Northern Nevada National Organization of Women
Pro-Family Coalition of Southern Nevada
Planned Parenthood
Reno City Commission for the Status of Women
Truckee Meadows Boy's Club
Unitarian Fellowship of Northern Nevada
The United Methodist Church
~~David G. Willis~~, MSW Psychiatric Social Work Consultation
Women for Sobriety
Women's Substance Abuse Council of Northern Nevada
League of Women Voters of Nevada



State of Nevada
Office of the Attorney General
Capitol Complex
Carson City 89710

Richard H. Bryan
Attorney General

March 17, 1981

EXHIBIT D

Senator Sue Wagner
c/o Legislative Building
Carson City, Nevada 89710

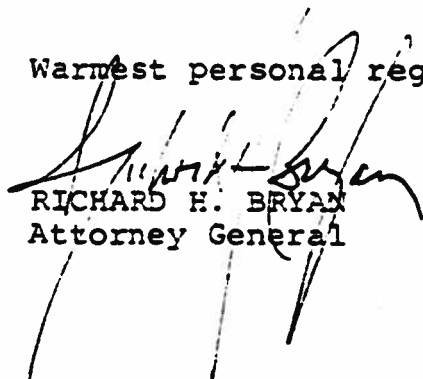
Dear Senator Wagner:

I would like to personally express my support for SB 371 to provide financial assistance to finance programs to aid victims of domestic violence in Nevada.

The incidence of domestic violence is becoming an ever-increasing problem within our State. As Attorney General, I feel strongly that all of us need to work together to develop and assist programs which will address this serious problem.

Please feel free to contact me if I can be of assistance.

Warmest personal regards,


RICHARD H. BRYAN
Attorney General

RHB/pcs



I would like to take a few minutes to walk you through the structure of SB 371 - this will serve to acquaint you with its components and give you an opportunity to raise questions

We should begin by noting that this proposed legislation is not merely the product of the bill drafting room in counsel bureau. Rather it is a bill that required 5 months of writing time.

It was created & critiqued by numerous people from all over our state. The objective was to design a bill that would fit Nevada's needs & take into account its unique characteristics. We hope we have succeeded. I shall attempt to cover the sections quickly - please interrupt me for questions

Sec 1 & 2. Are definitional & mostly self-explanatory. Page 1 line 9 defines household member - note that the language is neutral, there is no reference to gender. Both men and women are served by the domestic violence centers although the clients are predominantly women & their children. As we progress through the bill you will see that dependent children are a major concern & are provided with shelter and service along with the adults.

Sec 3. Explains the mechanism of the proposal. In each county the commissioners in conjunction with an advisory board on domestic violence shall award grants of money from a special account in the county treasury to organizations

w/ that County that provide services to domestic violence victims - CR -

p. 2 line 12

- they may release money to other counties who may provide such services. This bill allows each county a good deal of latitude in conducting its affairs.

p. 3 line 18

sec. 6

1. It may stay w/ the county to fund prog
2. be released to programs in neighboring count
3. be forward to the state for redistribution

This bill recognizes that some counties will wish to estab and/or maintain their own programs while other may desire to combine services with neighboring counties

For Example: Advocates For Abused Women is presently attempting to aid Canson, Douglas, Lyon, Stoney & Churchill Counties

You should know that it has been the policy of the established programs to help whenever & wherever possible. When a CR for help goes forth, Assistance is rendered irrespective of one's County of residence. The major limiting factor to providing services to those in need has always been a lack of facilities not an unwillingness to help

p. 2 Line 18

Sec. 4 Grant eligibility. Please note that this bill includes strict eligibility criteria - we were advised by our colleagues in states that have passed this type of legislation to spell out the requirements for the programs. This is to ensure that the \$ goes where it is supposed to - only to those organizations that have as their sole function aid to domestic violence victims.

p. 2

In line 34 we again stress that services are given without any form of discrimination. I mention this point again to emphasize that the d.v. centers serve both men & women.

Sec. 5 Provides a timetable for application period, notification & disbursement. ~~Again~~ Here it was decided that such a timetable would aid implementation & remove the guesswork from who is to do what when. We believe a law should be both efficient & effective.

Line 18

Sec 6. Refers to supplemental aid

In cases where counties may choose not to use their revenue for in cases where need exceeds the amount granted we wanted to include a mechanism that would accommodate both possibilities. This is what we hope to address in section 6 - this section allows for

the redistribution of money - it gives those programs short on dollars a second chance to obtain funds. We felt this might be especially crucial for the smaller counties where fewer funds are initially available.

Sec. 7 outlines the procedure for receiving & processing grant applications for the supplemental aid. This shall be the task of the division of mental hygiene & mental Retardation.

Sec. 8-9 deals with the reporting system and the evaluation of the programs. Everyone agrees that agencies receiving public money should be open to public scrutiny & appraisal.

The language of Sec 10 amends NRS 122.566 & calls for the addition of \$5.00 to the marriage license fee to fund the d.v. programs.

Now we should emphasize that this funding approach is not unique to Nevada - 5 states have passed similar bills increasing their fees from \$5 to \$10.00

Rest assured that the \$5.00 increase we are [REDACTED] 961

Requesting was not arrived at by lottery or scorcery. The budgets of the existing programs were carefully examined & the demand for their services appraised along with estimates of reasonable expectation for the counties where no services presently exist

It was concluded that to address the division situation in Nevada the marriage license fee would have to be increased by \$6.00. Now

You will note that the Request is for \$5.00 not six and it is important that you understand the rationale behind this reduction.

EARLY in December of 1920, Sen Keith Kershwin, along with other knowledgeable individuals cautioned us not to use a figure requiring the paying or receiving of ONE dollar bills in that it would cause a hardship for the County Clerks in making change. ~~\$~~ The marriage license fee is presently a nice round \$2.00. If the license were raised to \$2, \$3, \$4, \$6, etc. the clerks would be forced to keep large quantities of

\$1.00 bills on hand & this would be quite troublesome - especially on week-ends & holidays where so much business is conducted.

As a result we reluctantly reduced the request to \$5.00. Naturally this will provide much ¹⁹²⁵ revenue but everyone felt an obligation to consider the burden on the clerks.

As a final note

I think you should know that the \$5.00 request accurately depicts the needs of the d.v. programs

Nevertheless, I feel compelled to comment that a great # of people urged us to ask for a much greater amount.

The remarks went like this:

- Legislators are determined to cut every monetary request assuming that the amount in question includes a layer of fat that is to say - it is inflated or padded figure.

The conventional wisdom states: quote: "Double the amount you need so when it's chopped in 1/2 you'll wind up with what you genuinely require."

We asked Senator Wagner to advise us on this strategy & she replied

"Yes I know that game is often played but I believe it is perfidious - I won't be a part of any such scheme. Ask for what you genuinely need & no more... then trust the legislators to be fair with you."

that is what we have done

The \$5.00 figure is not padded.

The \$5.00 figure contains NO 'fat.'

The \$5.00 figure is what we honestly need.

This concludes my testimony.

With your permission Mr. Chairman
I would like to submit to each
member of the committee a list
of those individuals who wish to
make a statement in behalf of
S.B. 371

I have asked each person to be as
brief as possible so you will
have ample time to raise questions

Thank you.

MR. CHAIRMAN, SENATORS, AND ~~DISTINGUISHED~~ GUESTS.

EXHIBIT F

MY NAME IS ESTELLE MURPHY, AND I AM THE DIRECTOR OF TEMPORARY ASSISTANCE FOR WOMEN, WHICH OPERATES A SHELTER PROGRAM IN LAS VEGAS.

I AM SURE THAT EVERYONE IN THIS ROOM HAS A GOOD CONCEPTION OF THE BASIC FUNCTION OF A SHELTER - WHICH IS TO PROVIDE A SAFE REFUGE FOR WOMEN AND THEIR CHILDREN WHO ARE BEING PHYSICALLY ABUSED IN THEIR OWN HOMES. HOWEVER, THERE ARE SOME ASPECTS OF DOMESTIC VIOLENCE SERVICES THAT SOME PEOPLE MAY NOT BE FULLY AWARE OF.

DEPENDING ON THE PHILOSOPHY OF THE INDIVIDUAL PROGRAM AND ON ITS LEVEL OF RESOURCES, A DOMESTIC VIOLENCE PROGRAM WILL FOCUS ITS SERVICES ON EITHER THE WOMAN, THE WOMAN AND HER CHILDREN, OR THE WOMAN, CHILDREN, AND BATTERING SPOUSE. IDEALLY, A SHELTER WITH SUFFICIENT FUNDING AND STAFF WILL HAVE SERVICES AVAILABLE FOR THE ENTIRE FAMILY UNIT.

FIRST OF ALL, SHELTER PROGRAMS PROVIDE COUNSELING. THIS INCLUDES 24-HOUR CRISIS INTERVENTION, AND ONE - TO - ONE INDIVIDUAL AND FAMILY COUNSELING AND SUPPORT GROUP COUNSELING. SHELTERS PROVIDE A PERIOD OF SEPARATION, RANGING FROM A MONTH TO THREE MONTHS, FOR BOTH PARTIES TO REEVALUATE THEIR SITUATION, LOOK AT THEIR ALTERNATIVES, AND ARRIVE AT CONCRETE DECISIONS ABOUT THE FUTURE. DURING THE CLIENT'S STAY, STAFF SUPPORT WHATEVER DECISIONS THE CLIENTS MAKE, AND WILL ASSIST THEM IN OBTAINING THE RESOURCES THEY NEED TO ACCOMPLISH THEIR OBJECTIVES. THIS IS GENERALLY DONE THROUGH ADVOCACY. SHELTER STAFF ARE FAMILIAR WITH COMMUNITY RESOURCES IN THE AREA OF LEGAL, FINANCIAL, MEDICAL AND SOCIAL SERVICE NEEDS AND CAN ASSIST CLIENTS BY GIVING REFERRALS, SETTING UP APPOINTMENTS, AND ACCOMPANYING CLIENTS TO APPOINTMENTS, AS NEEDED. STAFF ALSO MAY HELP CLIENTS FIND EMPLOYMENT, CHILDCARE, AND ALTERNATE HOUSING, IF THIS IS IN THEIR PLAN.

BECAUSE LOW SELF-ESTEEM AND FEELINGS OF ISOLATION ARE TYPICAL WITH THE ABUSIVE FAMILY, DOMESTIC VIOLENCE PROGRAMS HELP CLIENTS TO SEE THEMSELVES AS WORTHWHILE INDIVIDUALS, AND REINFORCE THE FACT THAT THEY ARE NOT ALONE IN THEIR PROBLEMS.

ASIDE FROM THESE STANDARD SERVICES, DOMESTIC VIOLENCE PROGRAMS OFTEN PROVIDE PARENTING AND CHILD MANAGEMENT CLASSES, AND OTHER SEMINARS AS CAN BE ARRANGED. STAFF ARE GENERALLY TRAINED IN SCREENING FOR CHILDREN WITH EMOTIONAL OR DEVELOPMENTAL PROBLEMS, AND PARENTS ARE OFTEN REFERRED TO AGENCIES THAT PROVIDE SPECIAL SERVICES FOR CHILDREN. SHELTERS OFTEN HAVE RECREATIONAL PROGRAMS AND STAFF TRAINED IN WORKING WITH THE CHILDREN

IF A CLIENT REQUESTS ASSISTANCE IN REFORMING THE RELATIONSHIP, THE CLIENT IS REFERRED TO INDIVIDUAL COUNSELING OR TO CO-COUNSELING IF BOTH PARTIES ARE WILLING. OFTEN A BATTERING MALE WILL ENTER CO-COUNSELING AS A PREREQUISITE TO THE WOMAN RETURNING TO THE HOME. MANY DOMESTIC VIOLENCE PROGRAMS HAVE WALK-IN OFFICES AWAY FROM THE SHELTER, WHERE COUPLES CAN RECEIVE CO-COUNSELING AND WHERE BATTERERS ANONYMOUS GROUPS CAN MEET. THIS LATTER GROUP IS A PEER COUNSELING FORMAT, FACILITATED BY A SPECIALIST THAT TEACHES MEN HOW TO DEAL WITH THEIR ANGER & FRUSTRATION IN APPROPRIATE WAYS, SO THAT THEY CAN STOP BATTERING THOSE ~~THEY LOVE~~ CLOSEST TO THEM.

MANY PROGRAMS ALSO DO FOLLOW-UP ON EX-CLIENTS
~~I CAN NOT SPEAK FOR OTHER SHELTER PROGRAMS, BUT THE LAS VEGAS PROGRAM DOES FOLLOW-UP ON CLIENTS THAT HAVE DEPARTED.~~ *UP TO A YEAR AFTER DEPARTURE.* MOST WHO CHOSE TO FORM INDEPENDENT LIVES ARE SUCCESSFUL IN MAINTAINING SELF-SUFFICIENCY, AND MOST THAT RETURN TO THE RELATIONSHIP ARE ABLE TO MAKE POSITIVE CHANGES. APPROXIMATELY 85% OF OUR FORMER CLIENTS REPORT TO BE LIVING FREE OF ABUSE UP TO A YEAR LATER, AND LESS THAN 1% EVER RETURN TO THE SHELTER A SECOND TIME.

THANK YOU FOR YOUR ATTENTION. I'D BE GLAD TO ANSWER ANY QUESTIONS YOU MAY HAVE.

→ ANOTHER IMPORTANT SERVICE DOMESTIC VIOLENCE PROGRAMS PROVIDE IS COMMUNITY EDUCATION, WHICH INCLUDES POLICE TRAINING, PRESENTATIONS TO CIVIC AND PROFESSIONAL GROUPS, AND THE SPONSORING OF WORKSHOPS AND SEMINARS FOR THE GENERAL PUBLIC. ONE OF THE MAIN GOALS OF COMMUNITY EDUCATION IS TO FOCUS ON PREVENTATIVE STRATEGIES, WHICH INCLUDES ~~UP TO A YEAR AFTER DEPARTURE~~ ~~STAFF~~ SPEAKING BEFORE JUNIOR HIGH AND HIGH SCHOOL CLASSES, WHEN 906

appropriate training materials.

Cycles of violence occur from one generation to another. If a man or woman saw abuse between parents or was abused as a child, there is a 30 - 60% chance that he or she will be abuser or victim as an adult. If spouse abuse occurs in families, there is also an increased incidence of child abuse by either the father or mother, as one family member passes on his or her stress and violence to the more vulnerable ones in the family. To break these cycles, there is a great need for community education, beginning in school groups, including community groups, and reaching to the training of professionals to more effectively deal with abusive families. Without effective community intervention values and life styles tend to become more violent as the stresses in society become more severe.

In dealing primarily with women as victims, domestic violence programs are now only able to intervene in a part of a family system. In shelter programs, particularly in Reno and Carson City, therapeutic intervention with the children is a great need - to help them adjust after the crisis, to help them deal with chaos in their families, and to assist the parents in becoming more effective and nurturing. Due to limitations of funds and increasing demands for services, this area of need is just beginning to be tapped.

Emphasis for treatment has traditionally been on women in crisis, but yet, it not provide treatment for the abuser is to limit the effectiveness of future victims. Men who batter often need alcohol or drug treatment. (An estimated 1/3 of alcohol related abuse run around 90% in Nevada as compared with 60% in other parts of the country.) Men also need to learn alternative ways of dealing with stress and anger. The community needs training in effective communication. There are old services domestic violence programs could provide given financial community and financial support. As domestic violence becomes a more open issue, more family members will question the values of living in a violent home and will voluntarily seek services to provide the needed support for change.

Further development of our outreach system is crucial to provide for backup and support and outreach to other counties. If spousal violence in the home continues to be a hidden problem. As we do a more complete job of education and education, more people will be able to help themselves and living and more people will request the use of existing services. It is unrealistic that 4 small programs can do the work of all of Nevada.

Original document is of poor quality

With increased community support our network system will be able to provide information and consultation for other areas wanting to develop programs, so that each group can learn from the experience of the others. Currently one Vista volunteer is primarily responsible for the organization of these services state wide. By expanding on the cooperation between domestic violence programs more effective service will result for more people in the state.

I appreciate the attention you have given me, and I hope that you will support SB 371 in order that domestic violence programs in Nevada can continue to expand their work to make Nevada's homes and communities safer and more caring places in which to live.

①

Chairman, Senators and members of

Good morning! My name is Joni Kasser
I am the Coordinator of the Committee
to Aid Abused Women (CAAW), from the
Las Vegas area. Today I will briefly
speak about the previous funding
problems of statewide programs ~~working in~~
the field of domestic violence and why
we need help from the State of Nevada.

The programs in Nevada which are attempting
to effectively deal with the critical problem of
domestic violence have utilized numerous and
various methods of funding their work. These
methods have included local benefits,
fundraising drives, flea markets, appeals to
individuals and church, civic and service
organizations.

Although these community resources have
been supportive in providing shelter supplies
and furnishings, it has not been possible
for these methods of fundraising to provide
social salaries and the higher expenses such
as shelter rent. Any shelter program will
attract to the fact that staff have stood by
the program through periods when no
checks were forthcoming. Even stable
salaries have been traditionally lower than
those paid at other social service agencies.

EXHIBIT H

At the other end of the spectrum both federal and private foundation proposals have been written, with a small percentage of them being successful.

As many of you know, there was a federal bill before the last 2 sessions of Congress that would have provided funds for domestic violence programs.

However, the general consensus has been that this issue should be a state and local matter to be resolved at that level.

Even when indirect federal funds are available, the competition for funding from these sources is extremely keen and funds are often directed at more populous states. Other sources are simply "drying up" such as the Law Enforcement Assistance Administration (LEAA), CETA, VICTIP and others.

(3)

(1978)

The L.V. shelter began with an EAA grant that was seed money. EAA's rationale being that once the program was established, the community would take it over. However, the County had other funding priorities. That shelter operates with some CETA ~~funds~~ funds that will provide staff only

through ~~Sept~~ of this year. The shelter L.V. also receives about 10% of their budget from a state grant in alcohol & drug abuse funds. They have also had VISTA volunteers supplementing the shortage of staff, but ~~the~~ VISTA program nationwide has been frozen. The org. has applied for United Way and has received its first allocation of \$5,600. for 1981. Obviously, this could only be a small percentage of any shelter's budget.

The programs in Reno and Carson City also utilize VISTA volunteers, ~~and~~ these volunteers terms ~~will~~ ^{were} all ~~to~~ up in 1980.

(4)

The Reno Program ^{currently} has one CETA position and ~~is in the same position w/ CETA as the R.V. Program~~ ~~has had one other position in 1979.~~ It receives funding through the City of Reno via its Community Development Block Grant Program and General Community Support Program.

The Reno ~~shelter~~ shelter also has an application pending with United Way for 1982.

The Carson City shelter, being newly established in 1980, is still struggling with developing a sound financial base. They were able to accumulate enough funds from community sources to pay the shelter rent and some operating expenses for one year. They also ~~are~~ getting ~~financial~~ ~~support~~ ~~from~~ ~~the~~ ~~community~~ ~~sources~~ ~~which~~ ~~is~~ ~~enough~~ ~~to~~ fund a part-time shelter director.



Current levels of funding being as tenuous as they are, shelters have traditionally been understaffed with available staff working long hours and performing many job duties.

Although all the programs ~~to~~ use volunteers extensively, ~~most~~ ^{most} volunteers ~~to~~ ~~are~~ have limited time to donate & can not provide the consistency that paid staff provide.

A high percentage of staff and volunteer time is spent on the various fundraising efforts, with other programmatic areas forced onto the back burner.

This financial insecurity makes the program planning process difficult as programs don't know whether they'll have enough funds to complete the goals & objectives for the year. It also contributes to staff burn-out and low staff morale.

With the passage of S.B. 371, continuation of present programs and expansion of needed services can occur. With a community-supported funding base secured, programs will be able to respond more effectively to the tremendous needs & victims of domestic violence in our area. Thank you for your attention. We would be glad to meet with you if you might have.

Testimony of:

ROBERT J. MILLER
Clark County District Attorney
-Chairman, Victims Committee
National District Attorneys Association
special Advisor, National Organization for Victim Assistance

EXHIBIT I

Mr. Chairman, Members of the Committee and distinguished guests,

I thank you for the opportunity to speak to you this morning on what I consider to be a most important bill.

~~Violence in the family has occurred throughout history. Today, in the United States, it is unfortunately, a way of life for many families. The veneer of the family as a harmonious, gentle and supportive institution is cracking from increased evidence that the home is the scene of varying degrees of violent acts, including the slapping, hitting and assaulting of one spouse by the other.~~

Spousal abuse is a major social ~~problem~~ ^{problem.} The statistics attest to the seriousness of the problem. A recent national study suggests that about 16% of this nation's married couples have a violent episode at least once a year. And 12% of all homicides in the United States involve spouses. The FBI reports that 20% of all police officers killed in the line of duty, died answering a family disturbance call.

However gruesome the statistics, the true prevalence of domestic assault is unknown. This is due to non-reporting of this crime by the victim. The victim of spouse abuse often feels embarrassment, fear, retaliation by the attacker, or

believes that law enforcement officials will not be helpful.

The battered spouse has additional apprehensions to overcome before calling the police or attempting to leave an explosive household. If the victim decides to separate from the marriage, even temporarily, there must be a place to go - a place that will accept children and that will provide some means of support.

In many instances, the victim does not wish to abandon the marriage and the offender, who may just require counseling to begin settling disputes in a non-abusive fashion. Shelters are extremely beneficial in this regard. They offer an abuse-free atmosphere with professional staff who can minister to the needs of the victim and prepare that person for re-entry into the modified relationship.

During the period the victim is a shelter resident, the offending spouse who likewise may not wish to break the marriage bond, is informed that changes in behavior are essential to the furtherance of the relationship. Not surprisingly, this abrupt form of crisis counseling effectively encourages problem solving to maintain the family unit.

In some communities, this form of help has been made available to victims of domestic violence. Currently, in Nevada, we are ~~likely~~ ^{fortunate} to have ~~them~~ ^{a number of} established, functioning shelters. These shelters provide emergency services to battered spouses and their children, such as housing, counseling, transportation, job training and general advocacy.

Battered spouses, whether they choose to remain in their homes or leave, must have a range of services available to them. However, funding for social service and victim-related programs has become scarce, and a reliable, steady source of income is necessary if such services are to be provided in an uninterrupted and professional manner.

Nearly half the states have appropriated funds for domestic assault services. Such appropriations are usually made by including a line item in the budget or by the passage of a bill making a categorical appropriation. However, ~~—~~ **this bill** ~~proposes~~ an alternative to the use of general budget funds for domestic violence services. **This bill would create**

~~new funds by the imposition of a surcharge in the amount of \$5.00 to be added to the current cost of a marriage license. This money would then be distributed by a County Commission-appointed advisory board, which would provide grants of financial assistance to organizations serving victims of domestic violence.~~

Currently, five other states have implemented a similar funding source, and three others have legislation pending.

The marriage license surcharge appears to be a unique and appropriate way of providing needed services to victims of domestic violence. It would establish a source of funding, separate from the general fund, so that spouse abuse shelters could continue to provide their services without having to devote time to worrying about from where their next appropriations would come.

Domestic violence has finally been recognized as a problem of startling proportions - one which strikes at the roots of our society's elemental structure, the family. In order to treat this problem, we must provide the necessary services which its victims require. One of the simplest and most appropriate means of securing funds for these services appears to be the surcharge on marriage licenses. By approving this legislation, you will be ensuring that victims of domestic assault in our state will be provided with a place to recover and receive support from this unacceptable form of violence.

FACT SHEET

FUNDING FOR DOMESTIC VIOLENCE PROGRAMS

- . Funds have been appropriated for services to families afflicted by violence in half of the states;
- . State appropriations are made either by including a line item in the budget of a state agency or by passing a bill making a categorical appropriation.
- . All appropriations must be approved by the state legislature, but they may originate in the Governor's office as part of the proposed budget.
- . Five states (California, Kansas, Florida, Montana, Ohio) have created a source of funding by the passage of legislation that imposes a surcharge on the marriage license. The money collected is distributed to shelters and other service organizations.
The average surcharge in these five states is \$7.92.
- . Three states (New Jersey, New York, Pennsylvania) have legislation pending on surcharges on marriage license.
- . One state (Indiana) imposes a \$10.00 surcharge on the filing of an action for dissolution of a marriage rather than on the marriage license.

**SEVEN RECENT REASONS
WHY DOMESTIC VIOLENCE CASES
NEED TO BE RE-EVALUATED**

A jury in the rural town of Bellingham, Washington acquitted Janice Hornbuckle of first-degree murder. One night, after her husband beat her and threatened her at knife-point, Hornbuckle grabbed a shotgun from her teenage son, a high school student body president, and shot her husband. She had previously sought police protection on several occasions.

Jennifer Patri, a Sunday school teacher and PTA president, claimed self-defense when she went to trial in Waupaca, Wisconsin. For years, she was beaten and sexually abused by her auto-repairman husband. He had also molested their twelve-year-old daughter, and at the time of the killing she had started divorce proceedings. When her husband entered their house one day, Patri shot him, buried his body in an adjacent smokehouse, and set her house on fire, according to her lawyer, Alan Eisenberg.

Roxanne Gay, widow of Philadelphia Eagles defensive lineman Blenda Gay was charged with stabbing her 6-foot-5, 255-pound husband to death in December, 1976. Records show she repeatedly called police for protection from beatings by him, but, the officers merely told him to walk around the block to cool off - and on one occasion they ended up talking football with him.

Evelyn Ware was found not guilty of murdering her husband after pleading self-defense in Orange County, California Superior Court. Ware shot him five times. Evidence of past beatings was used as part of her defense.

In Chicago, Juan Maldonado was shot and killed by his wife, Gloria after he beat his eight-year-old son with a shoe. The State's Attorney's office ruled there was "insufficient evidence" to warrant her prosecution.

Sharon McNearney was found innocent of murdering her husband. The Marquette, Michigan housewife fired a shotgun at him as he walked through the front door. Police described her as a battered housewife who had long been abused. Marquette County Circuit Court Judge John E. McDonald said the prosecution failed to prove she had not acted in self-defense.

Marlene Roan Eagle, a seven-months-pregnant American Indian in South Dakota, stabbed her husband through the heart after he came at her with a broken broomstick. It was established that he had beaten her on several occasions and Roan Eagle was acquitted of murder on the grounds that she acted in self-defense.

WASHOE COUNTY

"To Protect and To Serve"



WELLS AVE. AT NINTH ST.
POST OFFICE BOX 11130
RENO, NEVADA 89520
PHONE: (702) 785-5611

DEPARTMENT OF WELFARE

March 17, 1981



TO: Bill Farr, Chairman
Board of County Commissioners

FROM: May Shelton

RE: SB 371

EXHIBIT J

Attached are my comments on the subject bill which I developed after talking to you and Commissioners Brown and Williams.

In preparation of the hearing on the subject bill on Wednesday, March 18, I did some research and thought you might be interested in the following.

Judy Bailey, the County Clerk, informs me that she issues approximately 36,000 marriage licenses a year. At \$5 per license, this would yield \$180,000 annually. (As an aside, I might mention to you that Judy has some concerns about increasing the marriage license to \$25 when California charges \$18. She feels that this might tend to discourage the out-of-staters, which comprise 95% of the licensees, to come to Reno to get married.)

I talked to Joni Kaiser, the Director of the Committee to Aid Abused Women (CAAW). They provide counseling and shelter to abused women and their children and are the only organization in this area who provide this service.

During the July-December 1980 period, CAAW received 359 calls; of these 75 were repeat calls, which means that they called some time within the past three years. Of the callers, 318 were women and six were men.

They have a shelter home that has three bedrooms and one bath, and they house 4-5 women and their children at any one time. The house capacity is 10-15 people. The women stay at the shelter an average of two weeks, but can stay up to four weeks. Depending on the women's ability to pay, CAAW will take contributions of money or food. If a person stays longer than four weeks, she is asked to contribute \$1/day for herself and \$1/day for each child. The CAAW staff assist the women to apply for food stamps,

Bill Farr, Chairman
Board of County Commissioners

March 17, 1981
Page 2

General Assistance from our program, or other assistance through Federal or State agencies or local organizations.

From time to time, they must turn away women because the shelter is at capacity. If this happens, they refer to St. Vincents and private homes. Ms. Kaiser did not have a figure of total numbers of women/families housed at the shelter during the July-December 1980 period.

The CAAW annual budget is \$45,000 which is from City of Reno Community Block Grant, City of Reno general funds, the National Episcopal Church, and individuals and local organizations.

CAAW supports SB 371 and will be providing testimony at the hearing.

May S. Shelton

May S. Shelton, Director
Washoe County Welfare Department

cc: Commissioner Brown
Commissioner Williams

MSS:ab

Atch.

March 17, 1981

WASHOE COUNTY WELFARE DEPARTMENT
COMMENTS ON SB 371

SB 371 is a bill that provides financial assistance to organizations serving victims of domestic violence.

Page 1, Line 10. . . . a parent, [or] other adult person, or child related by consanguinity or affinity. . .

Page 1, Line 14. 1. Create an advisory board on domestic violence [.] or use an established advisory board that advises the board of county commissioners on social services matters. [consisting] This advisory board shall consist of not less than three nor more than seven members.

Page 2, Line 17. domestic violence [.] or

- (c) Appropriate funds to a county department that provides services to victims and perpetrators of domestic violence for a treatment or prevention program.

Page 2. Beginning on Line 47. In Sec. 5 language should be used that allows counties to use application procedures and deadlines that are compatible with their budgeting process for the ensuing year.

Page 3, Line 13. Why is it proposed that disbursement of grant monies be made twice a year -- For January 1-June 30 and July 1-December 31? We suggest that disbursement of grant funds be according to county procedure.

Page 3. Beginning on Line 18. Sec. 6 establishes an account for supplemental aid for victims of domestic violence in the state general fund.

We strongly object to the requirement that any unencumbered balance in the county's account for assistance to victims of domestic violence revert to the State Treasurer.

MSS:ab

JUDICIAL COMMITTEE
NEVADA STATE LEGISLATURE
Wednesday, March 18, 1981...

EXHIBIT K

Members of the Judiciary Committee:

It was on March 15, 1978--three years ago this last Sunday-- that the Sparks United Methodist Church agreed to provide rooms from which the Committee to Aid Abused Women could operate.

There was hope that the demand for such services would decrease. Unfortunately, the need has increased.

Office space is jammed. Staff functions stretched.

Fund raising efforts is a constant struggle. Surely, local non-profit organizations can't be expected to fully absorb the financial burden.

Therefore, realizing the need, I am pleased with the introduction by Senator Wagner of Bill 371 and endorse its passage by the State of Nevada legislature.

By now it is clear that the battered woman is engaged in a multitude of social, legal, emotional and economic problems. Ashamed to go to her own family; fearful for safety of her children; often times without training for employment; uncertain of what legal rights and protection ~~for which~~ she is entitled; she has seemingly no place to turn.

Like much of our environment and social life, there is an inter-locking and thus an inter-relationship. It is difficult to separate one from another.

Abused Women organizations are trying--and with success-- to untie twisted family lives. They hold to a creed that respects the emotions of those who would do women ~~physical and emotional harm~~.

When a cab stops in front of the church to unload ^{battered} a young woman with child in her arms...one becomes aware that there is a better way for her to live.

When the telephone rings and a church member tells you that his secretary has come to work with swollen eyes, bruised face, and is scared to return home, there is thankfulness for an organization that can put that life back together.

When a woman, along in years--hair grey before its time--stands in your office and says: "I can't take it any longer", there is an assurance that she can receive the help needed.

Establishment of a County Board of Advisors on domestic violence, and the imposing of an additional fee will help.

We live, unfortunately, in a time of great violence.

The passage of Bill 371 should be an important step toward assisting such persons. In no way will the additional sum of money deter those who are to take the vows...

"for better, for worse...for richer or poorer..in sickness and in health" but it can be an important step toward women and children living ~~in~~ a life style that submits them to far less physical and emotional violence.

I thank you for your time, and for your patient listening of my presentation.

JOHN P. SULLIVAN, Pastor

Spartan UMC

1231 Pyramid Way

--finis--

EXHIBIT L

Page 1 of 2

Ladies and Gentlemen,

My name is Donna Lee. I am a recent resident of Fernley, Nevada just having moved from Fallon, Nevada. I am a Psychiatric Social Worker and have functioned as a main referral for victims of domestic violence for Churchill, Lyon and Pershing County for the past 16 months. I am currently training volunteers to assist in aiding victims of domestic violence in Lyon and Churchill Counties. I am also a member of the Board of Directors for Advocates for Abused Women, representing rural Nevada.

I am here today, as a professional working in rural Nevada. Sometimes the social and mental health problems of rural areas are "Closeted" and misunderstood. Reasons for this fact are variable and wide ranged including a strong individuality characteristic, lack of resources and a strong community spirit. It is not uncommon for a rural community to take care of its handicapped, ill and unfortunate. However, on the other hand, there is a strong sense of personal pride and privacy that is allowed by members of the community which effectively inhibits community intervention into the personal space, private home and life of any of its members. Hence, the problem of domestic violence continues without help for the victims. The result is simply that domestic violence is silent and isolated along with its victims until the violence becomes so severe that it is physically impossible for the victim to remain and the first intervention is during a medical emergency.

There is also the question of whether or not there is a "real" enough problem of domestic violence in rural Nevada to warrant any intervention at all.

Page 2 of 2

Statistics from Churchill County alone, indicate a definite need. During the period of time ranging from Feb. 1, 1980 through Jan. 31, 1981 there were 40 "non-emergency" requests for help and approximately 40 more emergency requests stemming from domestic violence. Within rural Nevada, there are no emergency shelters so many victims find themselves transported to Reno or Carson City for life shelter. Not only are the victims themselves literally driven from not only their homes AND their community but the children are pulled from school and friends. Even with this trauma, it is still comforting to know that there is a place to flee to and begin the painful process of starting over.

Rural Nevada has residents who have asked to be trained as volunteers and to help in the education of their communities. These concerned individuals have approached me, as a professional, to help them to help their community. The necessity of a safe shelter and programs to support it's residents is imperative before any of us can effectively address the problems left in the wake of domestic violence. Senate bill 371 will provide the necessary assistance needed for these most necessary services.

Thank You,

For Domestic Violence Victims

I am a victim of domestic violence. I am pleased to give testimony here today, before this committee, urging the adoption of Senate Bill No. 371.

Violence within the home is a recurring phenomenon of multiple dimensions and interrelated effects. Violence within the home is overwhelmingly directed against women and against children; and almost every situation of its kind exhibits one common ground. The cold facts of economics, the presence or absence of viable options, may dictate whether or not a woman and her children leave an abusive home.

Often women in such a situation are not employed outside the home. They do not have access to funds or transportation. How, then, can they seriously consider a permanent escape. The tactic usually employed is to take temporary shelter with a friend or neighbor until the initial violence subsides. Even this is not altogether satisfactory, for additional humiliation is attendant upon seeking sanctuary away from home. Explanations have to be made. One's very personal shame is made public.

There is a shame attached to being the victim. Women are easily accused of enjoying abuse, of perpetrating strife, of deserving chastisement. Empirical evidence to the contrary, the lore of marital discord continues to blame the victim. And in the final analysis, the victim blames the victim.

Faced with a situation offering no alternatives, the woman returns, and the indictment falls around her: she enjoys being abused; she caused the problem; she deserved what she got. Again she is the victim - of a self-fulfilling prophesy.

These are the myths attached to domestic violence; myths that are engendered by a powerlessness to solve the problem; myths that must be exploded by the concerted effort of many directed toward a common enemy.

Physical abuse takes an emotional toll upon one's ability to cope, to make decisions. Emotional defeat is much more debilitating than mere physical failure. Emotional defeat results in an exhaustion that permeates even the soul. Tears and self-pity manifest themselves, as the last vestiges of one's concept of self are eroded. One final result of domestic violence is the production of a non-person.

These are merely a few of the very real and very tragic results of violence within the family; results that effect each family member and impact upon the capacity of each to lead a normal life. There are many victims of violence in the home: the abuser and the abused; the parents and the children, things private and things public. Violence touches our neighborhood, our schools, our institutions. In sum, violence in the home touches each of us; thus we directly or indirectly, are all victims of domestic strife.

Because of the victimization of a community, domestic violence is no longer the personal problem of a an isolated few. It becomes, instead, a public issue that must be addressed on a much larger scale. As a public issue, it becomes attendant upon us all to do what must be done to eradicate its erosive effects upon our society.

It becomes incumbent upon each of us to not only recognize the presence

and scope of immediate need, but also to support the efforts directed toward more long-term efforts - the rebuilding of self-esteem. Support of this bill will furnish a necessary first step in the provision of shelter, of legal, medical and psychological support.

I urge you to accept the provisions contained in it.

Thank you.

Nevada Federation of Republican Women

MARY SLOCUM, President
P.O. Box 1199 • Gardnerville, NV 89410
702-782-4772

March 3, 1981.

Jan Evans,
1235 Pyeamid Way,
Sparks, Nevada.

Dear Jan:

The Nevada Federation of Republican Women held their Board Meeting and discussed the legislation to provide a permanent method of funding shelters for victims of domestic violence.

The Board voted unanimously to give their endorsement to this legislation. We certainly hope this will help.

Sincerely,

Mary Slocum
Mary Slocum.

EXHIBIT N

Committee to Aid Abuse Women

Joni Kaiser
Coordinator

37/ Sue's
Office

TESTIMONY OF CAROL SCHEIBER

EXHIBIT O

I am speaking to you as the Public Health Nurse for the abused women's shelter in Reno. I work for the Washoe County Health Department. Working with the families in the shelter is one of the most difficult and complex assignments I have had in 20 years of nursing.

From my standpoint as a nurse, I will address the emergency medical problems of the shelter's residents. Medical resources are hard to find for our families. Since I began visiting the shelter 4 months ago, I have had 6 women and 5 children needing private medical attention. Many of these ladies do not enter the shelter with insurance policies - some do not have jobs at the time they come. Unfortunately, illnesses and injuries often accompany these women.

I would like to give you one example. In December I had a patient who was 6-months pregnant in the shelter. She had sustained a severe head injury from a beating. The emergency room cared for her head injury. Two days later the emergency room was not there to evaluate why the baby she was carrying was not moving. Because of the situation she had been living in was so disrupted, she was not under private obstetrical care. It took us 5 days to get an appointment to deal with her problem.

When their children become ill in the shelter they need help. The children need their prescriptions, their special diets when they are sick and their medical attention. Utilizing an emergency room is costly. There are times the children qualify for Washoe Indigent Clinic - there are times we can't get in.

I cannot emphasize enough the children's program and the work it is doing. These children come from disturbed homes. They need counseling. Their mothers need help on how to handle them. We had a little girl aged 1½. Her father was a physically abusive person. He had taught his little girl how to bite and rewarded her for it. She struck out and bit at everyone including the other infants in the shelter. I still hear from this mother. She is getting help and resolving her problems. Violence begets violence. These children must have help - they are an investment for us.

We obviously can not service all the medical needs of the women and children that reside in the shelter. We can only help with the immediate and emergency situations. Even for these cases, funds are needed. We utilize as many medical resources that are available in the community. These include clinics, donated services of a few private physicians, and of course the Public Health Department.

Thank you for your interest in this problem. I would be glad to answer any questions you might have.

1235 Pyramid Way, Sparks, Nevada 89431
Days: (702) 358-4150 Evenings & Weekends 323-6111

A Project of the American Friends Service Committee

992

13 March 1981

Sen. Sue Wagner; Sen. Spike Wilson

EXHIBIT P

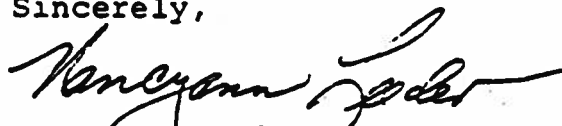
Re: SB371

The Washoe Democratic Central Committee would like to express its support for the attempt to fund shelters for victims of domestic violence by the means set out in SB371.

It is urgent to find ways of preventing the high incidence of domestic violence, and to break the vicious cycle of abuse that perpetuates itself from one generation to another. But, in the meantime, the abuse goes on and the shelters are all too often necessary to assure basic physical and mental safety of individuals.

We are totally supportive of the proposed marriage license surcharge bill being sponsored by Sen. Wagner and Sen. Wilson. That bill is basically a type of user tax which adds a very minor amount to the cost of a marriage license, with those revenues collected earmarked specifically for the use of present domestic violence programs and for the establishment of new ones on a statewide basis.

Sincerely,


Nancyann Leeder
president

NAL/hs

Recor

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5:35 PM

MR. CHAIRMAN - LADIES AND GENTLEMEN:

MY NAME IS BOB TRUESDELL. I HAVE BEEN IN THE WEDDING INDUSTRY IN THE GREAT STATE OF NEVADA FOR MANY YEARS. I HAVE BEEN CALLED A REBEL AND MAYBE JUSTLY SO BECAUSE I PERSONALLY FEEL WITHOUT A SUCCESSFUL PRIVATE ENTERPRISE SYSTEM NOT ONLY IN NEVADA BUT IN THE UNITED STATES OF AMERICA OUR GREAT NATION CANNOT SOLVE OUR MANY PROBLEMS.

IT HAS BEEN SAID BY MEN MORE ELOQUENT THAN MYSELF THAT THE RIGHT TO TAX IS THE RIGHT TO DESTROY. THE QUESTION HERE TODAY IS NOT WHETHER THIS CAUSE IS JUST OR NEEDED BUT HOW IT IS TO BE FUNDED.

A FEW SESSIONS BACK WE LEADERS OF OUR INDUSTRY FELT THAT A RAISE OF OUR LICENSE FEE TO \$20.00 WOULD NOT AFFECT THE GROWTH OF OUR WEDDING INDUSTRY. HOW WRONG WE WERE IN OUR NAIVE THINKING.

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NOW WE ARE ASKING THIS COMMITTEE TO ARRIVE AT A DECISION WITH WISDOM AND CAUTION, KNOWING THAT THE WRONG DECISION COULD DESTROY ONE OF NEVADA'S LEADING INDUSTRIES AND MAKE NEVADA NOT NUMBER ONE BUT NUMBER TWO IN THE WEDDING INDUSTRY.

CONTRARY TO WHAT MANY PEOPLE BELIEVE, THERE IS NO WAITING PERIOD OR BLOOD TEST UNDER CIVIL CODE #4213 IN THE STATE OF CALIFORNIA, AND IT IS COMMON KNOWLEDGE THAT THE GREAT STATE OF CALIFORNIA - SOMETIMES KNOWN AS THE SEVENTH LARGEST COUNTRY IN THE WORLD - WOULD PREFER THAT THE TOURISTS SPEND THEIR MONEY IN CALIFORNIA IN PREFERENCE TO OUR GREAT STATE OF NEVADA.

I AM PROBABLY ONE OF THE FEW PEOPLE - IF NOT THE ONLY PERSON - HERE TODAY THAT

③

OPERATES A CHAPEL NOT ONLY IN NEVADA BUT
ALSO IN CALIFORNIA. IT WOULD BE QUITE EASY
FOR ME TO BE SELFISH AND SAY GO AHEAD AND
RAISE NEVADA'S MARRIAGE LICENSE TO \$25.00
WHICH WOULD ENHANCE MY CALIFORNIA OPERATION
BECAUSE UNDER CODE 4213 IT ONLY COSTS \$18.00
FOR A LICENSE AND RECORDING IN THAT GREAT
STATE.

BUT I'M A NEVADAN. I LOVE THIS GREAT STATE.
IT HAS BEEN GOOD TO ME, MY CHILDREN AND MY
GRANDCHILDREN. IT WOULD BREAK MY HEART FOR THE
NEVADA ECONOMY TO BE PUT IN JEOPARDY BECAUSE
SCORE OF OUR WELL-MEANING CITIZENS ARE NOT AWARE
OF ALL THE FACTS.

I WOULD SUGGEST - AND PRAY MY SUGGESTION BE
FOLLOWED - THAT THIS BODY APPOINT A COMMITTEE TO MAKE
AN IN-DEPTH STUDY AND FIND A MORE EQUITABLE WAY
OF FUNDING THIS PROGRAM WHICH EVERYONE MUST AGREE IS NEEDED.
THANK YOU.