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STATE OF NEVADA
COMMITTEE ON DOMESTIC VIOLENCE
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REBECCA M. THOMAS
Chair

Kathleen Brooks
Laurie Brooks
Tami Evans
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Patricia Lynch
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March 7, 2003

Assemblyperson Bernie Anderson
Chair, Assembly Judiciary Committee
Nevada Assembly
401 S. Carson Street
Carson City NV 89701

RE: AB 97

Dear Chair Anderson:

I am writing as Chair of the Nevada Committee on Domestic Violence to express the Committee's opposition to the provision in AB 97 that deletes the requirement of incarceration in domestic violence cases. The Committee takes no position on the rest of AB97. The Committee was created by NRS 228.470 and is required, among other things, to "review, monitor, and certify programs for the treatment of persons who commit domestic violence." In that capacity, the Committee sets the standards for batterer treatment programs throughout the state and is cognizant of the best methods for treatment or intervention with batterers.

Section 4(a)(1) of AB97 provides for community service to be substituted for mandatory jail time. The Committee strongly opposes this change as it diminishes the seriousness of the crime of domestic violence. Domestic violence is a choice and batterers learn through the certified programs that they have control over their actions and can choose not to use violence. Severe swift sanctions are necessary to convey this important message to the batterer. Batterers will not change their conduct unless there are significant consequences for their actions. Allowing batterers to perform community service in lieu of jail time sends the message that the community does not consider their crime to be serious. Jail time, on the other hand, sends the appropriate message that their actions will not be tolerated by society.

We strongly urge you to oppose this portion of the bill which undermines the statutory scheme set out to address domestic violence as the serious violent crime that it is. After all the progress that

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this Legislature and this state have made on this important issue, it would be a shame to reverse the hard work that has been done to make Nevada's citizens safer. As the Committee charged with monitoring batterers' treatment, we would like the Legislature to maintain its strong stand against domestic violence.

Thank you for your consideration of the Committee's remarks.

Sincerely,

A handwritten signature in cursive script that reads "R M Thomas". The signature is written in black ink and is positioned below the word "Sincerely,".

Rebecca M. Thomas, Chair
Committee on Domestic Violence