

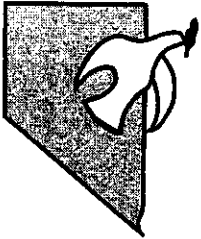
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Nevada Network Against Domestic Violence

March 10, 2003

Chairman Bernie Anderson
Assembly Judiciary Committee
Nevada State Assembly
Legislative Building
Carson City, NV 89710

Chairman Anderson and Members of the Sub-Committee;

My name is Susan Meuschke. I am the Executive Director of the Nevada Network Against Domestic Violence (NNADV), the statewide coalition of domestic violence programs in Nevada. I am here today to speak in favor of AB 160.

As you are aware this bill covers three very import areas 1) wage assignments as part of the protective order process, 2) name changes, and 3) extending privilege to cover communications between victims and advocates. I will limit my comments to sections 18-26 which deals with privilege.

First, I want to clarify that these provisions cover only those advocates, either paid or volunteer, who work for private non-profits and does not include advocates who are employed by law enforcement or prosecution agencies. The roles and requirements are different for each type of advocate and hence the need for different levels of confidentiality.

Second, this is not a radical concept, 24 other states currently provide privilege for communications between victims of domestic violence and their advocates (see packet for list). They understood how critical it was to protect the confidentiality of these communications. Nevada currently affords testimonial privilege to psychologists, social workers and marriage and family therapist, all of whom might be very helpful to victims of domestic violence...if they have the funds to pay for them. Victims are often denied access to financial resources by their abusers. One study showed that:

- 27% of battered women had no access to cash
- 34% had no access to a checking account
- 51% had no access to credit cards

Victims of domestic violence are more likely to seek help/counseling from an advocate of a non-profit shelter or non-profit program because their services are free. This being the case, one could conclude that privilege is conditioned on the victims' economic status or ability to pay rather than the need to have confidential conversations with advocates. We believe that to be an erroneous conclusion.

And finally, each victim of domestic violence has different needs for services and support but all need confidence that the advocate to whom they turn in crisis will be able to maintain their confidentiality. Without such confidence, victims would no longer feel safe in seeking our services. A recent court case (information is contained in the packet you received last week) has reminded us of just how vulnerable we are to being forced to breach confidentiality. We are asking for your support to maintain the confidentiality of our communications by passing of AB 160.

I thank you for your time and attention to this testimony and I would be happy to answer any questions you might have for me.