



THE TCFV LEGISLATIVE AGENDA

The 81st Session of the Texas Legislature

While we have a great deal to be proud of in Texas, the fact remains that family violence still poses a serious threat to the safety of our families. In 2007 alone, 189,439 Texas fell victim to family violence; shelter programs in Texas housed 16,968 children and 12,356 adults. Yet 10,407 adult victims in need of emergency shelter were turned away. Now is not the time to step back from our commitment against family violence. The following legislative priorities represent TCFV's continued commitment to ending family violence in Texas.

Keeping Families Safe in Texas: Appropriations for Family Violence Programs

The Health and Human Services Commission has requested \$50.9 million in order to fund family violence programs across the state. The majority of this request – \$48.5 million – represents level funding for core shelter and programmatic services; \$2.5 million of the request would go for Exceptional Items funding. The Texas Department of Criminal Justice has also requested \$2.5 million to fund Texas' Battering Intervention Prevention programs; this, too, represents level funding for important family violence accountability counseling.

Making Offenders Accountable to the Community: Mandatory Probation Fees to Family Violence Programs

Code of Criminal Procedure Article 42.12, Section 11(h), allows judges to order defendants placed on probation to pay *up to* \$100 to a local state or federally funded family violence shelter program. TCFV supports Senator Nelson's SB 82, which will require all defendants placed on probation for family violence offenses to pay \$100 to their local family violence center as defined by the Human Resource Code.

Save Lives: Strangulation as an Enhanceable Third Degree Felony

Incidents of strangulation in intimate partner relationships indicate both a progressing nature of abuse and a high degree of danger for the victim. Abusers who strangle are simply more dangerous to society and this behavior should be taken more seriously than it currently is in Texas' courtrooms. TCFV supports SB 1324, filed by Senator Nelson, and HB 2066, filed by Representative Gallego, which will add a section to the current assault statute thus filling a hole in the Penal Code and significantly increasing the punishment for strangulation from a Class A misdemeanor.

Abduction Risk Factors Should No Longer Keep Victims from Following Safety Plans

Family Code Section 153.502(a)(4), currently lists eight abduction risk factors courts must weigh in determining the risk for international abduction by one or both parties of a child custody lawsuit. These risk factors mirror what family violence victims do when they carry out safety plans. TCFV supports SB 491 (filed by Senators West, Hinojosa and Shapleigh), which will except actions that are actually safety planning from the list of abduction risk factors for family violence victims, because Texas victims deserve to be safe.

Notice to Offenders: Federally Mandated VAWA Funding Compliance

In order to receive federal funding under the Violence Against Women Act, Texas must certify that defendants who plead guilty to all misdemeanor family violence crimes have been warned regarding the possibility that they may as a result be federally prosecuted for gun and ammunition possession. This includes Class C assaults that involve family members. TCFV supports HB 1644 (Representatives Dukes and Naishtat) and SB 1236 (Senator Seliger), which will make sure Class C offenders receive this federally mandated warning.

Fostering Real System Change: Domestic Violence Fatality Review

In 2007, 104 women were killed in Texas by their intimate partners. The Texas Health and Safety Code Chapter 672 establishes a framework for family violence community partners to come together to look at these deaths to determine what could have been done differently – and what might have been done right. Only a handful of Texas communities have domestic violence fatality reviews partly because of the potential for criminal and civil subpoenas to be issued to participants for the information generated in reviews. TCFV supports Representative Kent's HB 3303 and Senator Zafirini's SB 1872, which will make the Domestic Violence Fatality statute mirror the language already used in the Child fatality Review statute. The Child Fatality Review statute disallows subpoena service on the work product of fatality review participants and disallows their being required to testify about the review.

Questions?

Please call TCFV at 512-794-1133 or 1-800-525-1978, and ask for Aaron Setliff, Director of Policy, or anyone on the Policy Team.