Regular Session, 2014

HOUSE BILL NO. 1052

BY REPRESENTATIVES MORENO, BARRAS, AND BROSSETT AND SENATORS BROOME AND DORSEY-COLOMB

1 AN ACT

To enact Part III of Chapter 28 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2145 through 2147, relative to domestic violence; to create the Domestic Violence Prevention Commission; to provide relative to the duties, powers, membership, and meetings of the commission; to authorize commission members to appoint certain persons as proxy; to require a certain vote of the membership for legislative recommendations; to provide for legislative findings; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The Legislature of Louisiana recognizes that domestic violence inflicts physical, emotional, and financial injury on its victims and exists in every segment of our population. Approximately thirty-two and nine tenths percent of women and twenty-eight and one tenth percent of men in the United States have experienced physical violence by an intimate partner in their lifetime, as indicated by the National Intimate Partner and Sexual Violence Survey. According to information published by the Louisiana Coalition Against Domestic Violence, Louisiana leads the nation in domestic homicides and has done so since 1997. On one day in September of 2012, one hundred ninety-five domestic violence hotline calls were made in Louisiana and six hundred twenty-seven victims were served by receiving emergency shelter, transitional housing, or nonresidential assistance, including counseling, legal advocacy, or other support services, according to research conducted by the National Network to End Domestic Violence. As indicated by this study, victims also made sixty-three requests for services on September 12, 2012, that went unmet, including requests for emergency shelter, legal representation, and transitional housing. The Legislature of Louisiana finds that it is crucial that a comprehensive review of all existing

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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1 public and private domestic violence programs be undertaken to identify gaps in prevention 2 and intervention services and to increase coordination among public and private programs 3 to strengthen prevention and intervention services in Louisiana. 4 Section 2. Part III of Chapter 28 of Title 46 of the Louisiana Revised Statutes of 5 1950, comprised of R.S. 46:2145 through 2147, is hereby enacted to read as follows: 6 PART III. DOMESTIC VIOLENCE PREVENTION COMMISSION 7 §2145. Creation; purpose and duties of the commission 8 A. The Domestic Violence Prevention Commission is hereby created within 9 the Department of Children and Family Services. 10 B. The commission shall: 11 (1) Assist local and state leaders in developing and coordinating domestic 12 violence programs. 13 (2) Conduct a continuing comprehensive review of all existing public and 14 private domestic violence programs to identify gaps in prevention and intervention 15 services and to increase coordination among public and private programs to 16 strengthen prevention and intervention services. 17 (3) Make recommendations with respect to domestic violence prevention and 18 intervention. 19 (4) Develop a state needs assessment and a comprehensive and integrated 20 service delivery approach that meets the needs of all domestic violence victims. 21 (5) Establish a method to transition domestic violence service providers 22 toward evidence-based national best practices focusing on outreach and prevention. 23 (6) Develop a plan that ensures state laws on domestic violence are properly 24 implemented and provides training to law enforcement and the judiciary. 25 (7) Develop a framework to collect and integrate data and measure program 26 outcomes. 27 C. The commission shall annually issue a report of its findings and 28 recommendations to the governor, the speaker of the House of Representatives, and 29 the president of the Senate. The commission shall issue its initial report on or before 30 February 1, 2015, and no later than the first day of February each year thereafter.

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1	The report may include any recommendations for legislation that it deems necessary
2	and appropriate. Legislation may be recommended by the commission only upon
3	approval by a two-thirds vote of the commission members present.
4	§2146. Composition of the commission
5	A. The commission shall be composed of twenty members as follows:
6	(1) Eighteen of the commission members shall be the following:
7	(a) The executive director of the Louisiana Sheriffs' Association or his
8	designee.
9	(b) The executive director of the Louisiana Coalition Against Domestic
10	Violence or his designee.
11	(c) The executive director of the Louisiana District Attorneys Association
12	or his designee.
13	(d) The executive director of the New Orleans Family Justice Center or his
14	designee.
15	(e) The chair of the Louisiana Legislative Women's Caucus or her designee.
16	(f) The chairman of the House Committee on the Administration of Criminal
17	Justice or his designee.
18	(g) The chairman of the Senate Committee on Judiciary B or his designee.
19	(h) One district court judge with experience in criminal law matters, selected
20	by the president of the Louisiana District Court Judges Association.
21	(i) One district court judge with experience in family law matters, selected
22	by the president of the Louisiana District Court Judges Association.
23	(j) The president of the Louisiana Clerks of Court Association or his
24	designee.
25	(k) One representative of the Department of Justice, office of the attorney
26	general or his designee.
27	(1) The executive director of the Louisiana Commission on Law Enforcement
28	and Administration of Criminal Justice or his designee.
29	(m) The secretary of the Department of Children and Family Services or his
30	designee.

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1	(n) The secretary of the Department of Health and Hospitals or his designee.
2	(o) One representative of the Louisiana Association of Criminal Defense
3	Lawyers or his designee.
4	(p) One representative of the Bureau of Alcohol, Tobacco, Firearms and
5	Explosives or his designee.
6	(q) The chief justice of the Louisiana Supreme Court or his designee.
7	(r) The president of the Louisiana Association of Chiefs of Police or his
8	designee.
9	(2) The following two members of the commission shall be appointed by the
10	governor:
11	(a) One attorney licensed to practice law in this state who has at least five
12	years experience in representing victims of domestic violence who seek protective
13	orders.
14	(b) The executive director of a shelter-based or direct service program
15	provider for victims of domestic violence.
16	B. Of the commission members provided for in Subsection A of this Section,
17	one shall be appointed by the commission members to serve as chairman and one
18	shall be appointed by the commission members to serve as secretary.
19	C. Members of the commission shall serve for a term concurrent with that
20	of the governor.
21	D.(1) Each voting member shall be entitled to appoint a single individual to
22	serve as proxy for the duration of his term if the member is unable to attend a
23	meeting of the commission. The term of the designated proxy shall be the same as
24	the voting member. A member appointing an individual to serve as his designated
25	proxy shall make his appointment known to the chairman and to the secretary of the
26	commission.
27	(2) The proxy appointed by the voting member shall not be subject to the
28	same nominating and appointment procedures as is required for the voting member
29	for whom he is serving.

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APPROVED: ____

GOVERNOR OF THE STATE OF LOUISIANA