



The Go Purple Update: Family Violence Legislation in the 84th Session

Each session, TCFV leads efforts to obtain funding for family violence programs and pass key legislation aimed at preventing family violence and intervening when it occurs. Purple represents the domestic violence movement and TCFV's efforts at the Capitol during session. The good news: the legislature strongly supported the over 84,000 mostly women and children that accessed services last year by increasing key funding. They listened when we called on them to **GO PURPLE**. For more on our success at the legislature, take a look inside.

Texas Council On
FAMILY VIOLENCE 

Above family violence survivor Christine Rodriguez addressed legislators, advocates and allies on Capitol Day.



Senator Jane Nelson met with TCFV CEO Gloria Terry, Brazos County District Attorney Jarvis Parsons (top center), Catherine Shellman (far right) and TCFV staff for a photo. Catherine got a chance to tell Sen. Nelson about her daughter who was murdered by her ex-boyfriend in 2010.

Appropriations: Full Funding for a Safer Texas

Family Violence Services

Texas Council on Family Violence commends the Texas Legislature for its continued commitment to supporting lifesaving services, such as emergency shelters and hotlines, for victims of family violence and their children. Per the final budget for the 2016-2017 biennium, the Health and Human Services Commission's Family Violence Program (HHSC FVP) will distribute \$53.9 million for core services provided by family violence programs across Texas. This funding comes at a critical time: nearly 85,000 Texans sought assistance from HHSC-funded family violence programs last year alone, yet 39% of those who sought services were turned away due to lack of space or funding to provide services. Recognizing this significant need, the Legislature also funded HHSC's "Exceptional Item Request" of \$3 million dollars. These funds will support these key unmet needs: legal services, economic stability measures such as housing and childcare, domestic violence fatality review teams, primary prevention aimed at ending violence before it starts, and underserved needs according to the Texas State Plan for family violence services.

Our State's Commitment to Batterer Re-Education: Battering Intervention Prevention Programs

The Legislature increased funding for BIPPs to \$3.5 million. Along with our state's strong commitment to family violence services, Texas has long prioritized funding for BIPPs. According to statute, all offenders who plead guilty to a family violence offense and who are referred to a program must be referred to an accredited BIPP; the Family Code allows and encourages courts to refer protective order respondents to accredited BIPPs. The needed funding over the last 20 years has allowed family violence centers to establish BIPPs to address both victim's safety and offender accountability within a holistic framework, but prior to the session, BIPPs had not experienced an increase to this important funding since 1999. The \$1 million increase will allow programs to make ends meet, expand current services, and add innovative approaches to what they currently do. This funding came as a part of Rider 48 within the Texas Department of Criminal Justice Community Justice Assistance Division's appropriations.

Program Response: The No-Red Tape Bill

Senate Bill 59

Author: Senator Jane Nelson
(R- Flower Mound)
Sponsor: Representative Richard
Peña Raymond (D-Laredo)

Senate Bill 59 strengthens the current statutory framework governing contracts for family violence services outlined in Chapter 51 of the Human Resources Code (HRC). This bill requires the Health and Human Services Commission Family Violence Program (HHSC FVP), in collaboration with TCFV, to create an application process that will guide funding processes and clearly establish that in the event of a conflict with another code, Chapter 51 HRC prevails. The bill further requires HHSC to work within the Texas State Plan for family violence services, entitled Access to Safety, Justice and Opportunity: A Blueprint for Domestic Violence Interventions in Texas, in those decisions.¹ Prior to the passage of Senate Bill 59, efforts by HHSC to consolidate all contracting and procurement services created unacceptably lengthy delays in disbursement of funds to critical services for victims of family violence and did not comply with longstanding provisions within Chapter 51 HRC.

Amends Section 51.004 of the Human Resources Code (HRC); Repeals Section 51.003 (d) HRC. Effective June 19th, 2015.

¹ To learn more consider taking a look at Accessing at <http://www.tcfv.org/stateplan/>.

Prevention Efforts: Examining Implementation to Create a Whole School Response

House Bill 2455

Author: Representative Cindy
Burkett (R-Sunnyvale)
Sponsor: Senator José Rodríguez
(D-El Paso)

In 2007 Texas became one of the first states to pass legislation aimed at preventing dating violence by requiring every school district in Texas to implement dating violence policies and provide training and awareness education to teachers, students, parents and administrators. In the nearly ten years since it has passed, implementation has been inconsistent with no true picture on if and how these policies and trainings are being addressed. HB 2455 will convene a task force comprised of issue area experts to assess the full spectrum of how data related to dating violence, family violence, stalking, and sexual assault is collected and provide recommendations for enhanced efficacy. It also includes provisions to examine the implementation of required dating violence policies, awareness education, and training with a goal of providing recommendations that will strengthen this key prevention effort with Texas' youth.

Creates 72.101 to 72.108 of the Texas Government Code; Effective 6/16/2015.



After working on their own teen dating violence public service announcement, these five young women from Longview converged on the Capitol in support of TCFV's agenda item on teen dating abuse policies and awareness education on middle school campuses. Want to see their PSA? Head to YouTube and search for "Channel Your Anger-Teen Dating Violence PSA".

Changing Criminal Procedure: Allowing Juries to Hear More Information About Family Violence; Increasing Accountability for Offenders Monitored by GPS as a Part of Protective Orders

House Bill 2645

Author: Representative César Blanco
(D-El Paso)

Sponsor: Senator Chuy Hinojosa
(D-McAllen)

Family violence results from the use of power and control by one intimate partner over another. This occurs over time and context, and too often happens when other non-physical but still damaging tactics fail. Prosecutors who try family violence cases have long identified the Code of Criminal Procedure (CCP) and Rules of Evidence as in conflict with this well-accepted concept. The previous rules often disallow mention of prior conduct that would help the jury to understand the nature of the relationship and the batterer's use of power and control; in effect, the jury has to make a decision regarding guilt with less than the full picture. This bill changes the CCP to allow the jury to hear more information about the relationship of the parties in the guilt-innocence phase of a trial involving family violence.

In addition, the bill addressed family offenders being monitored by global positioning systems (GPS) as a part of a protective order. Previously, when law enforcement observed tampering or outright removal of GPS by an offender, the law enforcement officer had to go back to the court that ordered the protective order to obtain permission to arrest. This bill allows law enforcement to arrest the violator in real time for a violation of a protective order, thereby increasing victim safety and offender accountability.

Creates Article 38.371 of the Texas Code of Criminal Procedure. Amends Section 25.07 of the Texas Penal Code (adding (a)(6)); Effective September 1, 2015.

Effective Enforcement of Protective Orders

Senate Bill 737

Author: Senator José Rodríguez
(D-El Paso)

Sponsor: Representative Joe Moody
(D-El Paso)

This bill bolsters the existing criminal justice system response to protective orders, improving data collection and recording necessary for enforcement state and nationwide. Adding trafficking to crimes for which magistrates can issue an emergency protection order (MOEP), SB 737 also requires the collecting of all MOEP terms and entering these into a Texas database. Clerks must send copies of orders to all required parties and entities including the victim's last known address within one business day and they may do so electronically. Texas law now requires law enforcement to enter protective order information within three days into the state database which then feeds into one used by law enforcement across the country to verify the existence and terms of a protective order.

Amends: Article 17.292, Code of Criminal Procedure; Section 85.042, Family Code; Section 86.0011, Family Code; Section 411.042, Government Code; Effective 9/1/2015.



From left to right, House Appropriations Vice Chair Sylvester Turner, TCFV CEO Gloria Terry, Brazos County District Attorney Jarvis Parsons and Catherine Shellman (mother of Tiffanie Perry who was murdered by her ex-boyfriend in 2010) joined in TCFV's Purple Postcard Press Conference. Thousands of Texans completed these postcards which call on the legislature to fully fund family violence services.



Advocates, allies and friends joined TCFV and TAASA for Capitol Day 2015, supported by a generous gift from the Mary Kay Foundation. Crayton Webb, Vice President of Corporate Communications and Social Responsibility and TCFV Board member (far left), led the charge on Capitol Day.

Additional Family Violence Legislation of Note

House Bill 77

Author: Representative Mary Gonzalez (D-El Paso)
Sponsor: Senator Royce West (D- Dallas)

Examining Dallas' Efforts to Involve Men in Violence Prevention

This bill tasks the Health and Human Services Commission (HHSC) in collaboration with TCFV to conduct a study to determine the effectiveness of the Dallas Men Against Abuse program spearheaded by Mayor Mike Rawlings. HB 77 also requires the concurrent assessment of other community-level factors such as the efforts of local law enforcement and family violence programs to respond to victims of family violence and the City of Dallas Domestic Violence Task Force. The study will provide recommendations related to the feasibility of replicating this program or other effective community responses, with a particular focus on involving men in the effort to end domestic violence.

Effective 6/19/2015.

House Bill 388

Author: Representative Richard Peña Raymond (D-Laredo)
Sponsor: Senator Judith Zaffirini (D-Laredo)

Extension of Protective Orders Against Incarcerated Respondents

Although the incarceration of a family violence abuser may bring added safety to the victim, some offenders continue to represent a danger to their victim even after their release. A pre-existing protective order may expire during incarceration, yet little may have changed during the period in terms of the victim's safety. Previously the victim would have had to go back to court to request an extension, but this bill now extends the protective order if it expires during incarceration or within one year after release. This extension lasts two additional years if the offender received a sentence of five years or less and for one additional year if the offender received a sentence for more than five years.

Amends Section 85.025(c), Family Code; Effective 6/9/2015.

House Bill 3327

Author: Representative Carol Alvarado (D-Houston)
Sponsor: Senator Joan Huffman (R-Houston)

Coordinated Community Response: Domestic Violence High Risk Teams

Communities continue to look for innovative methods to address domestic violence. Realizing that 119 women were killed by their male intimate partners in 2013 alone, many have called on policymakers to adopt practices and funding priorities that reduce the number of these fatalities. Originally Governor Abbott identified the idea of establishing Domestic Violence High Risk Teams (DVHRT) as a legislative and appropriations priority for his office. The Governor approached Rep. Alvarado and Sen. Huffman who both agreed to carry a bill and seek appropriations to support grant programs to start these teams. The teams bring together evidence and practice-based approaches with a coordinated community group comprised of law enforcement, prosecutors, community supervision and corrections departments, victim advocates, nonprofit organizations that provide services or shelter to victims of family violence, medical personnel and other relevant members of the community. The team members each bring unique perspectives with a charge of prioritizing responses to the most dangerous perpetrators. Attorney General Ken Paxton will administer \$600,000 in grant funds over the biennium to support pilot projects for the establishment of DVHRTs.

Creates Section 402.038, Texas Government Code; Effective September 1, 2015.



The El Paso delegation to the legislature and the El Paso District Attorney contributed strongly to passage of the entirety of TCFV's Legislative Agenda and an increase to funding. From left to right, Senator José Rodríguez; Rep. Marisa Márquez; El Paso District Attorney Jaime Esparza, TCFV Public Policy Committee Chair and TCFV Board member; TCFV CEO Gloria Terry; Executive Director Stephanie Karr, Center Against Family and Sexual Violence; Rep. Joe Moody, and Rep. César Blanco.

Thank you

The TCFV Board

We proudly acknowledge the integral role of the TCFV Board in our success in the 84th Session. TCFV Board members provide leadership on the Public Policy Committee and ultimately approve the TCFV Legislative Agenda. We thank the TCFV Board for their strong support throughout the process.

Partners and Allies

TCFV thanks everyone who participated in the TCFV / TAASA Capitol Day on February 11, 2015, each person who submitted a Purple Postcard and those who contacted their legislators in support of survivors. Each of you contributed to our successful efforts to increase funding for family violence programs.

In addition, scores of dedicated individuals made great efforts through providing testimony at events and hearings, meeting with their elected officials, and garnering critical feedback and support for initiatives. Thank you for answering the call to **GO PURPLE**.

The 84th Texas Legislature

Members of the 84th Texas Legislature displayed overwhelming support for survivors of family violence, their families, and communities. TCFV thanks each Senator and Representative that served in the 84th Legislature and their staff who worked tirelessly on initiatives to effectively respond to and prevent family violence in Texas.