



INDIVIDUALLY WE POWER CHANGE.
TOGETHER WE POWER A MOVEMENT.

The 86th Session Legislative Update

With a state-wide reach and direct local impact, TCFV, with the collective strength of more than 1000 members, shapes public policy, equips service providers, and initiates strategic prevention efforts.

Supported by:

SUNWEST
COMMUNICATIONS
PUBLIC RELATIONS | PUBLIC AFFAIRS

Sunwest Communications proudly supports the Texas Council on Family Violence and its life-saving work through domestic violence prevention, policy and programs.

Investing in a Safer Texas

Appropriations for Family Violence Services

The Texas Council on Family Violence (TCFV) commends the Texas Legislature for its continued commitment to supporting lifesaving services, such as emergency shelters and hotlines, for survivors of family violence and their children. Per the final budget for the 2020-2021 biennium, the Health and Human Services Commission's Family Violence program (HHSC FVP) will distribute \$59.8 million for core services provided by family violence programs across Texas.

This funding comes at a critical time; in 2017, over 71,500 people received more than 1.5 million services from family violence centers,

an indication of the staggering need for these vital services. At the same time, these programs turned away over 41% of all Texans who sought shelter for one simple reason: there was simply not enough capacity and the shelter was out of space. With current research showing Texas as the top growth state in the country, a capacity crisis is occurring.

Recognizing this significant need, the Legislature also funded HHSC's "Exceptional Item Request" of \$5.5 million dollars. These funds will support key unmet needs: legal services, economic stability measures, such as housing and childcare, and mental health counseling. We commend our state leaders for recognizing that services which address long-term needs will help prevent future abuse, reducing the capacity issues our shelters face.

Our State's Commitment to Batterer Re-Education

Battering Intervention Prevention Programs

The Legislature maintained funding for Battering Intervention Prevention Programs (BIPPs) at \$3.5 million. Along with our state's strong commitment to family violence services, Texas has long prioritized funding to hold offenders accountable and focus on changing an abuser's behavior to prevent future violence. Increasing safety for survivors of family violence is the core goal of BIPPs. BIPPs offer group educational sessions to hold men who batter accountable. 36 hours of participation are required to change belief structures that support abusive behavior and ultimately create behavioral change. Holding offenders responsible for their actions, and creating alternatives to incarceration, is cost effective and supports meaningful change in Texas communities.

Texas leads the nation in battering intervention program administration, with over 25 years of experience maintaining programs, offering accountability groups, and administering state funding. This funding is administered within the Community Justice Assistance Division's appropriations of the Texas Department of Criminal Justice.

Domestic Violence High Risk Teams

The Legislature maintained funding for Domestic Violence High Risk Teams (DVHRTs) at \$600,000. In Texas, a woman loses her life due to family violence less than every three days. In 2017 alone, 136 women were murdered. DVHRTs support survivor safety by coordinating across systems, such as law enforcement, prosecution, and family violence services, to provide the support and safety needed for high risk cases. Protecting survivors with a high lethality risk requires effective coordination throughout the survivor's journey within the criminal justice system.

DVHRTs can prevent future violence and hold offenders accountable. This funding is administered through the Office of the Attorney General.

Unexpended Balances

TCFV was able to advocate for the authority to carry funds from one fiscal year to another to utilize funds optimally and allow HHSC FVPs to maintain flexibility to budget funds efficiently as a response to survivor needs.



Changing the Landscape for Survivors

TCFV Priority Legislation

Expanding Access to Lease Termination for Victims of Family Violence

SB 234, Senator Nelson, sponsored by Representative Morrison, et al.

Oftentimes, survivors of domestic violence must leave their homes to be physically safe. Of the 136 Texas women killed by their male partners in 2017, 70% were killed at home.

In seeking safety, many victims are faced with the decision to leave their homes and risk homelessness. Domestic violence is among the leading causes of housing instability for women and children, and 38% of all domestic violence survivors become homeless at some point in their lives.

Moreover, many homeless women have reported that domestic violence was the immediate cause of their homelessness. Existing housing protections in Texas law have been pivotal in promoting safety and preventing homelessness; however, greater impact is still needed. The current documentation required for survivors of domestic violence to utilize these vital protections remains narrow and requires processes and time frames that do not protect survivors in emergency situations.

SB 234 amends the existing lease termination statute (Texas Property Code 92.016) to include additional options of documentation, including Magistrate Orders of Emergency Protection (Code of Criminal Procedure Art.17.292), documentation by a licensed medical or mental health care provider who has examined the survivor, and documentation by an advocate (Texas Family Code 93.001) at a family violence center (Human Resources Code 51.005) who provided the victim with services. Effective September 1, 2019.



Reducing Family Violence Homicides Through Strangulation Recognition and Survivor Support

SB 971, Senator Huffman, sponsored by Representative Herrero

In the 81st legislative session, the criminal offense of strangulation was upgraded to a felony due to its high correlation with death. Although

strangulation is one of the most lethal forms of family violence, causing lasting damage in seconds, first responders are often unable to identify it due to minimal visible injuries. Research shows that only 35% of strangulation victims are identified as such by law enforcement.

Identifying offenders who strangle their victims provides a strong indicator of the offenders' proclivity to future lethal violence. Moreover, identifying prior strangulation assaults may prevent further escalation of violence toward both the victim and the responding officers. Ensuring law enforcement training on strangulation will promote early detection and provide immediate support for survivors. Strangulation will be included as a core component of family violence training for officers. Knowledge on investigating strangulations, responding to strangulation victims, and collecting evidence will assist in prosecuting offenders, as well as predicting and preventing future family violence homicides.

SB 971 amends Section 1701.253(d) and 1701.352 Occupations Code to require training in the documentation of cases, including recognizing and recording circumstances indicating that a victim may have been assaulted in the manner described by the Penal Code in Section 22.01(b)(2)(B) (which relates to establishing that an offense which would otherwise be a class A misdemeanor is a felony of the third degree if the offense is committed by intentionally, knowingly, or recklessly impeding normal breathing or circulation in certain circumstances). It requires the Texas Commission on Law Enforcement (TCOLE) to establish or modify training programs not later than January 1, 2020.



Ensuring Economic Security for Survivors Through the Prevention of Coerced Debt

HB 2697, Representative Meyer, et al., sponsored by Senator Zaffirini

Though domestic violence is commonly characterized by physical and emotional abuse, economic abuse has gained increasing recognition as a prevalent and serious mechanism of coercive control that further entraps victims. In a 2012 study focused on coerced debt, 93% of domestic violence professionals reported having clients who experienced coerced debt. Coerced debt describes non-consensual, credit-related transactions that occur in intimate relationships where one partner uses coercive control to dominate the other. In almost all cases of coerced debt, the survivor's credit score may be negatively impacted.

HB 2697 expands the conduct that constituted an offense under Penal Code Section 32.51 to include obtaining, possessing, transferring, or using an item of another person's identifying information without that person's effective consent. Effective September 1, 2019.

Bridging the Gaps with Criminal History Records

HB 1528, Representative Rose, et al., sponsored by Senator West

Prior to this legislation, there was no system for reporting and sharing class C family violence misdemeanors across the state's various jurisdictions, making it difficult for officers and prosecutors to identify repeat offenders and make informed decisions on how best to respond to them. The new law allows law enforcement officers and prosecutors to identify easily individuals who have committed continuous family violence in different jurisdictions. In providing law enforcement officers with access to criminal history information, officers can be proactive in preventing future family violence and provide a greater level of protection to survivors of family violence.

HB 1528 amends provisions of the Code of Criminal Procedure relating to certain procedures applicable to certain offenses involving family violence. First, it requires a judge or justice of a municipal court to take the plea of a defendant charged with an offense involving family violence in open court. Second, it requires that information in the computerized criminal history system relating to sentencing include for each sentence whether the judgment imposing the sentence reflects an affirmative finding of family violence. Finally, it includes that an offender charged with a misdemeanor that involves family violence and is punishable by fine only to be among the offenders for whom an arresting law enforcement agency is required to prepare a uniform incident fingerprint card and initiate the process of reporting applicable offender data. Effective September 1, 2019.

Protecting Abducted Adults

HB 1769, Representative Bonnen, et al., sponsored by Senator Taylor, et al.

In 2017, Mark Howerton, 22, beat and sexually assaulted Cayley Mandadi in his car. The victim is honored in TCFV's 2017 Honoring Texas Victims report. Mandadi's friends knew that her boyfriend had abused her before, according to an arrest warrant affidavit, and they tried to call the police to search for her after Howerton abducted her. Unfortunately, the alert system was designed only for missing minors and the elderly. The case has highlighted the need for an alert system to be activated for missing or endangered adults between the ages of 18 and 65, particularly considering the risk of family or dating violence.

HB 1769 amends the Government Code to require the Department of Public Safety (DPS) to create a statewide alert system for missing adults aged 18 to 64 years old. The bill requires DPS to conduct a study on the effectiveness of the alert system and submit a report on the study's results and any further recommendations to the governor, lieutenant governor, and speaker of the House of Representatives. Effective September 1, 2019.

Promoting a Trauma-Informed Response

SB 586, Senator Watson et al., sponsored by Representative Neave

Law enforcement officers are often the first to encounter survivors of family violence and sexual assault. Survivors benefit when officers understand how trauma can affect a survivor's behavior and capacity to participate in an investigation. This law strengthens the ability of law enforcement to provide an effective, trained response to survivors of sexual assault and rape by including trauma-informed response techniques as a required component of law enforcement officer training and requiring a special certification for certain assignments.

HB 586 amends the Occupations Code to require TCOLE to establish minimum requirements for the training, testing, and certification of special officers for responding to allegations of family violence or sexual assault. The law also includes provisions revising the requirement for the preparatory and advanced courses and training programs for law enforcement officer training schools to provide training in investigation and documentation of cases that involve child abuse and neglect, family violence, and sexual assault. TCOLE is required to establish the training program not later than January 1, 2020.

TCFV Public Policy Committee

In the year leading up to a legislative session, TCFV follows a deliberate process in developing its substantive legislative priorities. A key component of this process is our Public Policy Committee, comprised of a diverse group of those involved in addressing family violence response in our state. The committee's feedback and guidance represent an instrumental component of vetting ideas and focusing on measures that will be most impactful and achievable. Members of the Public Policy Committee also play a critical role in strategy and advocacy throughout the legislative session. We commend and appreciate the participation and efforts of each member.

Chair

Jaime Esparza, 34th Judicial District Attorney (El Paso)

Membership

Ann Baddour, Texas Apple Seed (Austin)

Heather Bellino, Texas Advocacy Project (Austin)

Donna Bloom, Denton County Friends of the Family (Denton)

Khara Breedon, International Association of Forensic Nurses (Missouri City)

C. Kay Caballero, Legal Aid Society of Lubbock (Lubbock)

Carvana Cloud, Harris County District Attorney (Spring)

Paige Flink, Family Place (Dallas)

Leigh Ann Fry, Bay Area Turning Point (Webster)

Maricarmen Garza, Texas Rio Grand Legal Aid (Houston)

Kurt Gonzalez, Resource & Crisis Center of Galveston County (Galveston)

J. Staley Heatly, Wilbarger County District Attorney (Vernon)

Brittany Hightower, Williamson County Attorney's Office (Georgetown)

Lori Houck, Kendall County Women's Shelter (Boerne)

Mona Kafeel, Texas Muslim Women's Foundation (Plano)

Chris Kaiser, Texas Association Against Sexual Assault (Austin)

Stephanie Karr, Center Against Sexual & Family Violence (El Paso)

Sherri Kendall, Aid to Victims of Domestic Abuse (Houston)

Jan Langbein, Genesis Women's Shelter & Support (Dallas)

Kimberly Laseter, Collin County District Attorney Office (Prosper)

Jim Malatich, Hope's Door New Beginning Center (Plano)

Rosie Martinez, Hidalgo County District Attorney (Mission)

Erin Martinson, Texas Legal Services Center (Austin)

Matthew Mogish, Noah Project (Abilene)

Kerri New, Rockwall County District Attorney Office (Rockwall)

Glenaan O'Neil, Lone Star Victims Advocacy Project (Austin)

Kimberly Peichowiak, Office of Court Administrator (Austin)

Marta Prada Pelaez, Family Violence Prevention Services (San Antonio)

Q, Olivia Rivers, The Bridge Over Troubled Waters (Houston)

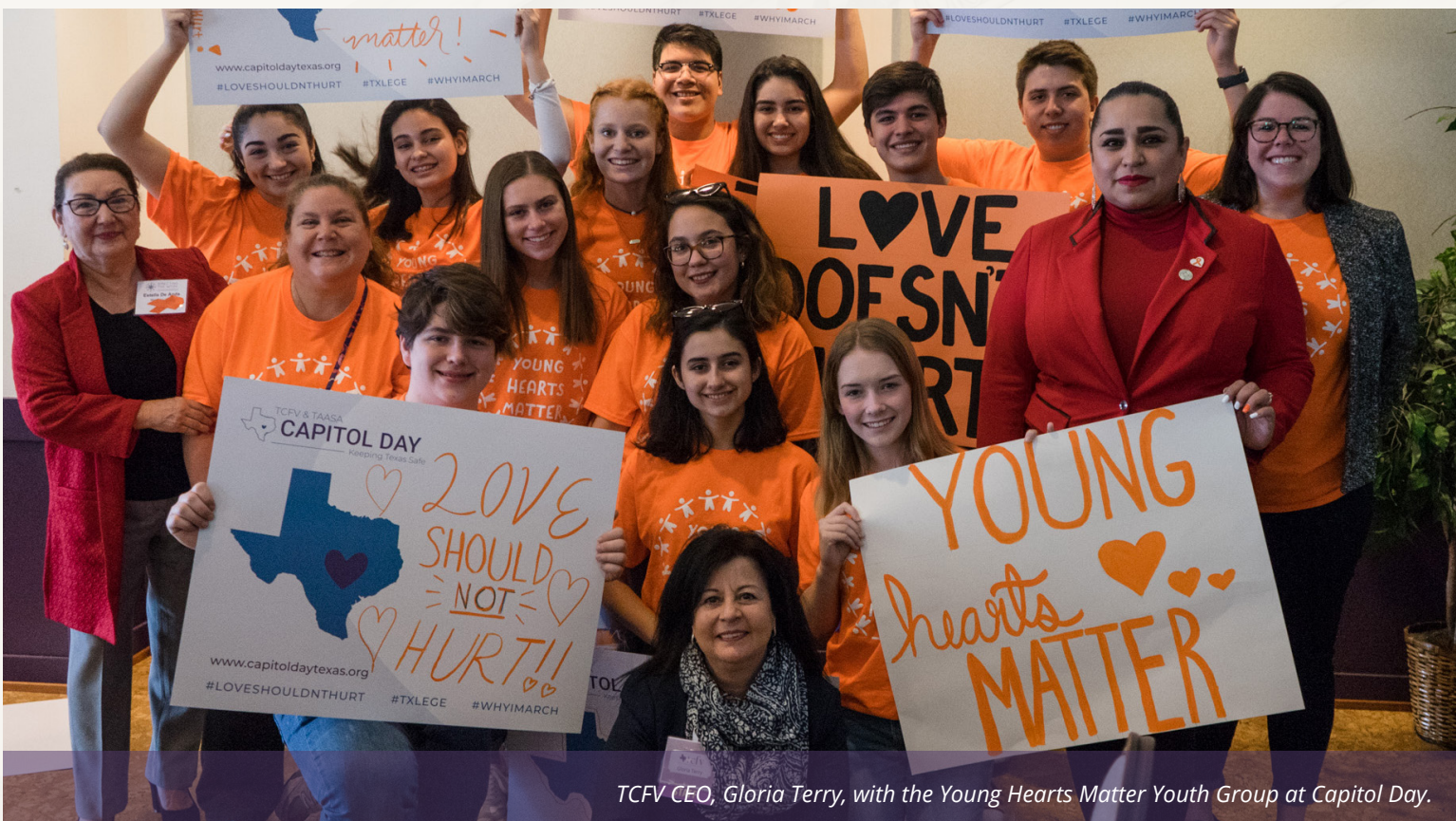
Ana Markowski Smith, Val Verde County Attorney (Del Rio)

Coni Stogner, SAFE (Austin)

Jeannie Tomanetz, Austin Police Department (Austin)

Shannon Trest, Women's Center of East Texas (Longview)

Jim Womack, Family Support Services of Amarillo (Amarillo)



TCFV CEO, Gloria Terry, with the Young Hearts Matter Youth Group at Capitol Day.

Thank You

TCFV stands as Texas' statewide coalition of family violence centers. We work on behalf of these programs, survivors, and allied professionals. Although TCFV leads the effort in passing an impactful and important slate of legislation, we rely on our partners in local communities, our dedicated and diverse board, and each of the legislators and their staff, all of whom worked tirelessly in support of both full funding and in passing all our legislative agenda. Thank you for helping us to make Texas a safer state for survivors.

The TCFV Board

We proudly acknowledge the integral role of the TCFV Board in our success in the 86th session.

Jeff Allar	Marta Pelaez
Lyndia Allen	Roger Pharr
Danielle Agee	Karen Pieper
Twila D. Carter	Julia Spann
Shirley Cox	Laura Squiers
Jaime Esparza	Jim Womack
Staley Heatly	Frances Wilson
Heather Kartye	
Sherri Kendall	
Jim Malatich	

Statewide Partners and Allies

TCFV thanks everyone who participated in the TCFV / Texas Association Against Sexual Assault (TAASA) Capitol Day on February 14, 2019, as well as each person who submitted a Purple Postcard and 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, many dedicated individuals provided testimony at events and hearings, met with their elected officials, and provided feedback for initiatives. Thank you for answering the call on behalf of survivors.

The 86th Texas Legislature

Members of the 86th Texas Legislature displayed overwhelming support for survivors of family violence, their families, and communities. TCFV thanks each Senator and Representative who served and their staff who worked tirelessly to respond effectively to and prevent family violence in Texas.

Family Violence and Sexual Assault Movement Leaders advocating for change at Capitol Day 2019.

