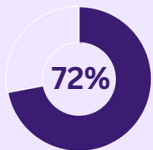


THE ISSUE

Dating violence policies and education are frequently cited by survivors as an area of need, especially when seeking to prevent future violence. Section 37.0831 of the Education Code has long stated that schools would implement dating violence policies in their district improvement plans, but the circular tie was never created between it and Sec. 11.252 of the Education Code, where district improvement plans are outlined. This has created widespread implementation issues.

Additionally, there is a gap in the Education Code regarding the reporting of dating violence to students' parents. The code does not stipulate the order in which reports should be made, creating a safety risk for survivors if the parents of the student using violence are notified first. The code could also be updated with protections from retaliation and enhanced safety accommodations. Clarified dating violence provisions and access to safety could have the immediate impact of violence prevention.

BACKGROUND



Over 70% of women who experience intimate partner violence experienced it for the first time **before the age 25**. Over a quarter of survivors experienced abuse for the first time **before they were 18**.

There are effective ways to prevent violence and offer protections to young people experiencing dating violence. Although Sec. 37.0831 requires all school districts to have dating violence intervention and awareness education protocols, research has shown that implementation has been inconsistent at best. For Texas' thousands of school districts, offering effective dating violence policies across the state would have a significant impact on student safety as well as on school campus safety.

THE SOLUTION

This measure creates the circular tie needed to ensure implementation by adding Sec. 37.0831 to Sec. 11.252 of the Education Code so that it is clearer that dating violence policies are required under district improvement plans. The bill also adds language in Sec. 37.0831(b) of the Education Code requiring that the survivor's parents be notified prior to the parents of the student using violence and offers support, protection from retaliation, and accommodations to the survivor.

THE ISSUE

Over 600 Texans, primarily women, have been murdered in our state **in just three years**. Family violence homicides are a devastating, yet preventable, tragedy in Texas. Although many efforts have been made to prevent and reduce these homicides, both at the legislature and in communities, the number of victims in Texas murdered by their intimate partner has been alarmingly high since 2020.

Victims' children and family members, bystanders, and police officers are also at risk of losing their lives when an intimate partner homicide occurs. In TCFV's 2023 Honoring Texas Victims report, family violence homicide perpetrators killed 16 family members, friends, and bystanders. Family violence homicide has a rippling impact, and creates losses that are felt across families and communities.

BACKGROUND

3X THE RISK

When an abusive partner engages in stalking, it triples the risk of them killing their partner. Reporting stalking is the most common interaction between a victim and the criminal legal system prior to attempted or completed family violence homicide.

5X THE RISK

The presence of a firearm in a domestic violence situation increases the risk of homicide by as much as 500% and poses significant risks to family members and responding law enforcement officers.

7X THE RISK

An abusive partner who attempts to strangle their partner is seven times more likely to later kill their partner.

Research consistently indicates that there are three top lethality indicators for family violence homicide: strangulation, stalking, and firearms. In addition to these, there are other risk and protective factors that are important to consider when trying to prevent and reduce family violence homicide in Texas. Creating an understanding across systems about the research will allow a task force to make systemic and legislative recommendations to significantly reduce this preventable violence.

THE SOLUTION

This measure would create a time-limited two-year lethality factor taskforce charged with producing policy recommendations for the 90th legislative session focused on reducing and preventing family violence homicide. The taskforce would also offer data on prevention, investigation and prosecution of family violence homicides and services provided to survivors, as well as recommendations for training and service coordination efforts. Taskforce membership would include a variety of partners such as law enforcement, criminal and civil legal systems, health services, family violence centers, and survivors.

THE ISSUE

Per the Crime Victims' Rights statute in [Art. 56A.052 of the Code of Criminal Procedure](#), victims of sexual assault, stalking, indecent assault, and trafficking and have the right to confer with prosecutor on disposition decisions including plea agreements, rather than solely getting notice of those decisions. Family violence victims, however, do not currently have this right.

BACKGROUND



Often victims find the legal process re-traumatizing and challenging to navigate. There are many points in a criminal case when a victim does not have control over what is occurring and ultimately, what the outcome will be.



While some victims choose to report violence to police, others are hesitant to participate with prosecution and the courts because of fear of future violence, distrust of the criminal justice system, and lack of perceived benefits. Extending the right to confer on disposition decisions and possible plea agreements would allow victims a voice and sense of agency in the outcome of the case and increase participation.

Victims may decide to report abuse and engage with law enforcement and the legal system in an effort to end the violence and seek justice. When victims can use their voice and have a role in the decision-making process, this may also assist in the successful prosecution of the case and increase the victim's willingness to be involved. The ability to confer would also provide a critical opportunity for the victim to express how a potential agreement could impact their safety, which may lead to additional supportive services and resources for the victim. In the 88th legislative session, [SB 409](#) was passed, granting victims of sexual assault this same right to confer with the prosecutor on disposition decisions. This measure would build on that groundwork and ensure family violence victims are afforded the same rights as other victims.

THE SOLUTION

This measure proposes to add a definition of family violence in the Code of Criminal Procedure, Art. 56A.001 and adds a new section, Art. 56A.0521, focused on the rights of family violence victims, allowing for family violence victims to confer with prosecutors on certain dispositions for family violence offenses, including potential plea agreements.

THE ISSUE

Offering dating violence, healthy relationship education, and prevention interventions to young people in school can reduce the likelihood of dating violence and prevent further violence in adulthood. Particularly for young people who are using violence, there is a need for intervention and education to increase awareness and help them engage in healthy relationships. For many survivors, one of their top requests is for the violence to stop and see a change in their partners' violent and controlling behavior.

Currently schools are not required to track the occurrence of dating violence, yet they are for other related conduct such as bullying and sexual assault. This makes it difficult to know and track when dating violence happens and to ensure the appropriate disciplinary process occurs, including what interventions might be offered. It is also not stipulated in code that when a student has used violence in a relationship that they could receive the healthy relationship and/or dating violence prevention education already outlined in the Education Code. There is a need to understand when dating violence is happening and offer an intervention when there is a referral to the Disciplinary Alternative Education Programs (DAEPs) when violence happens to properly address it and prevent future violent acts.

BACKGROUND



Violent behavior often begins in adolescence and can lead to violence in adult relationships, which may increase in severity.



There is evidence that some school-based programs focused on teen dating violence and healthy relationships reduce the use of violence, increase teen dating violence knowledge, and improve teen dating violence attitudes.

THE SOLUTION

This measure would create mechanisms to name that dating violence is occurring in schools, which would allow for it to be tracked through data collection. This measure would also create a pathway for young people using violence to be referred to a DAEP. Schools would also have the option to offer healthy relationship and/or dating violence education, as already stipulated in law, to youth referred to a DAEP as a means of intervention and prevention.