



2011 Legislative Summary

50th Legislature 1st Regular Session

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Your Systems Advocacy Department

Through our public policy and systems change efforts, the Arizona Coalition Against Domestic Violence advocates to more effectively address the needs of domestic violence victims in Arizona.

In order to achieve this goal, the Systems Advocacy Department monitors public policy and institutional practices on both a state and national level. Additionally, the Systems Advocacy Department collaborates with various partners to encourage systemic change and provides information and education to create more knowledgeable and engaged communities.

Advocating for systemic change is a fundamental means to increase the health, safety and justice for battered women in Arizona.

The Systems Advocacy Department said farewell to Kendra Leiby in December after four years of dedicated service and guidance. Her passion for legislative advocacy and expertise in Arizona politics were instrumental in the Coalition's success over the past several years. We wish her well in her new position!

Lindsay Simmons rejoined the department in November and was promoted to Coordinator in December. Ana Jabkowski, a part-time Systems Advocate since May, accepted a full-time position just before session began. Lindsay and Ana were joined by two amazing interns who assisted with bill tracking, drafting testimony, and observing hearings. And finally, our Executive Director, Allie Bones, and Deputy Director, Elizabeth Ditlevson, continued to assist the department with planning, strategy, and analysis.

The Systems Advocacy Department's work is guided by the Coalition's Legislative Advisory Committee, a diverse group of volunteers who donate their time to help guide and create our public policy initiatives. The annual Legislative Priorities Survey, completed by program staff, law enforcement, prosecutors, community members and survivors from throughout the state also guides the Systems Advocacy Department.

To find out more about the Systems Advocacy Department or ways to get involved, visit our website at www.azcadv.org.

The Lay of the Land

Thirty-one freshmen were elected in the fall of 2010, so the first part of the year was spent meeting with and introducing ourselves to the new legislators. Session began on a somber note just days after the tragic shooting in Tucson. The Capitol returned to a new normal the next week, and committee hearings began.

There were two special sessions this year: one to allow

Governor Brewer to seek a waiver from the federal government concerning AHCCCS coverage, and one to hear and vote on the majority's "jobs" bill.

Aside from the special sessions, legislators were hard at work for four months. There were 1,350 bills introduced, and 386 made it to the Governor's desk. She vetoed 29 of the measures.

Just two and a half weeks after the budget bills were passed by the legislature and signed by the Governor, the House and Senate adjourned *sine die*, on April 20th.

There is always the possibility that Governor Brewer will call another special session before January to act on a large personnel reform bill she has drafted. Stay tuned for more information!

HB 2302 (protected address; secretary of state)

We are thrilled to announce that Governor Brewer signed SB 2302 into law on April 19, effectively establishing an Address Confidentiality Program in Arizona! We are happy to have worked closely with Secretary of State Ken Bennett's office and sponsor Representative JD Mesnard to make sure this bill passed. Additionally, our sincere appreciation goes to C. and K., two brave survivors who testified in support of the measure during committee hearings.

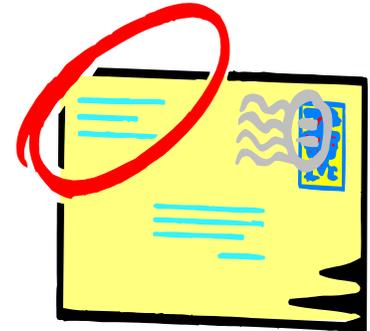
When the program is operational, victims of domestic violence, sexual assault, and stalking will be able to apply to the program with the help of trained applicant assistants throughout the state. Once admitted, a participant will receive a card identifying a proxy address to be used in place of their actual, physical address. Participants can present this card to government agencies in order to keep their physical address out of the public record. The program administrator will forward all first

class mail from the proxy address to the participants' homes.

This program, and others like it throughout the country, is designed for those victims who live in a location unknown to their abuser. It will serve as an additional layer to their safety plan and will keep their address confidential.

HB 2302 enjoyed wide bipartisan support, and we will continue to work with the Secretary of State to ensure seamless implementation.

We will be in contact with programs as time progresses. Please don't hesitate to get in touch with the Coalition with questions about the bill!



HB 2588 (name change records; stalking victims)



We are happy to have worked with freshman Representative Terri Proud, a strong advocate for the protection of domestic violence victims, to make sure that HB 2588 was passed. In very serious cases, a victim might determine that it's necessary to take an additional, cumbersome step towards safety: apply for a name change. Changing one's name is a measure of last resort

for those who are in constant and escalating danger.

This new law allows a victim of stalking or domestic violence to ask the court to seal the application and judgment of a granted name change. If the judge determines that sealing the record would protect the applicant's safety, the documents would not be part of the public record.

In addition, persons who were granted a name change on or after January 1, 2009 can petition the court for their records to be sealed.

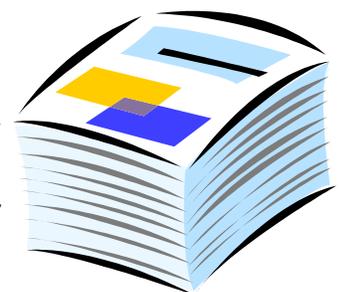
The language of HB 2588 was added on to HB 2302 with the approval of both sponsors, and became law when Governor Brewer signed HB 2302.

HB 2658 (domestic violence review teams)

Sponsored by Representative Proud and signed by Governor Brewer on April 26th, HB 2658 will help the state's nine current Domestic Violence Fatality Review Teams make stronger recommendations. Some areas of AZ have very few DV fatalities, which is a great thing. However, this limits the number of cases those teams are able to review, and thus the recommendations and policy changes that they can make.

Allowing the teams to review near fatal incidents offers a chance to interview living victims to gather more information on what the relationship was like and how systematic interactions helped or hindered the victim. Additionally, teams will now give copies of their annual reports to AzPOST (Arizona Peace Officers Standards and Training) and the Coalition, in addition to the agencies that currently receive them.

Both AzPost and the Coalition testified in support of this bill, as did the chair of one of the state's teams. Legislators saw the value of allowing the teams to examine more cases, and the bill passed unanimously out of the House on the last night of the session.



SB 1187 (dissolution of marriage; legal separation)

Just days before session ended, we thought this bill had seen its last light. After narrow passage in the Senate (18-11-1), even less support in the House (31-27-2), and defeat on final read in the Senate (11-18-1), we hoped legislators finally understood that this bill was unnecessary and intrusive. However, after a weekend of hard lobbying by its proponents, the bill was reconsidered on the last afternoon of session. SB 1187 passed on reconsideration (17-12-1) and was sent to the Governor, who signed it on April 28.

Currently, when a couple divorces, one party can request or the judge can send

the case to conciliation court. This means that the couple will go through a mandatory 60 day waiting period in which both parties will meet individually with conciliation court staff and the couple will meet at least once together to determine if they can agree on any aspects of the case. This new law will allow one party to petition the court for an extended waiting period of 120 days. The original bill did not have an exemption for victims of domestic violence; since then and in anticipation of its potential passage, we worked with stakeholders to amend the measure to allow a party to object to the extended waiting period by showing good cause.

This amendment made the original bill better, but there is still a chance that domestic violence victims will be caught in the courts and forced to stay married to an abusive spouse for an extended period of time. And, as we know, the separation period can be very dangerous- even lethal- for victims. We will continue to seek feedback on the bill's impact and consider future legislative efforts to eliminate or change this law.



SB 1083 (domestic relations; child custody)

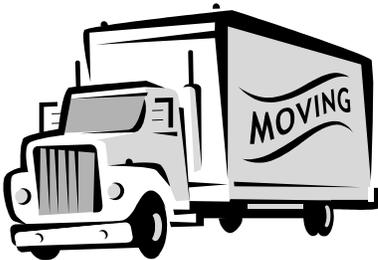
Several committees and workgroups have been hard at work for years discussing changes to multiple statutes affecting child custody. While a large bill is expected to be dropped during the 2012 session, SB 1083 made an appearance this year. Sponsored by Senator Gray, this bill pro-

posed sweeping changes to the statute(s) regarding child custody and relocation. We made our opposition known very early on, and met multiple times with proponents and other stakeholders to discuss our concerns.

We were able to suggest amendments that would

have made the bill better for victims, but overall we advocated for the measure to be pulled and worked on some more due to the complicated nature of relocation issues.

The bill was held in March but we expect it to resurface next session.



Both the Senate and the House demonstrated an extreme lack of respect for transparent government during this session's budget process. Both chambers managed to introduce budget bills, suspend the rules, and complete the entire legislative process in two separate 24 hour periods. The House debated its budget bills in Committee of the Whole at 3 am on a Friday morning! Proponents of the bills say the state had no choice but to cut this deeply; however, leaders ignored options to raise revenues that would have preserve life-saving programs and education funding in order to make our state better.

The only good news is that the DES DV line item was preserved, and for that we're thankful. However, this year's budget decimates the safety net for vulnerable citizens, including victims of domestic violence who leave abusive relationships and rely on state programs temporarily while they're getting back on their feet. The approved budget cuts an additional \$47 million from the DES general fund budget. Leadership at DES has promised that contracted services will remain funded. Other ramifications of the budget include: eliminating 35,000 individuals from AHCCCS by implementing an enrollment freeze; demanding AHCCCS patients pay a co-pay for

appointments and ER visits; eliminating the state match for child care subsidies for low-income families; and lowering the time limit for eligibility for TANF (cash assistance) to 24 months.

This year's cuts come on top of reductions from the past several years, making things even harder for agencies and service providers to sustain assistance programs.

FY11/ FY12 Budgets

Are you a member of the AzCADV?

Membership dues provide the Coalition with the unrestricted funding we need to effectively advocate for legislation and the budget. Additionally, the strength of our membership numbers demonstrates our power and reach in the community. Choose from different levels of membership:

- Survivor
- Student
- Individual
- Affiliate Organization/ Company
- Domestic Violence Program

Go to www.azcadv.org under "Get Involved/Join Us" to learn more.

On FACEBOOK?

Become a FAN of the Arizona Coalition Against Domestic Violence!

Other Legislation of Interest

SB 1424 (assessment for family offenses; stalking): This bill will assess an additional \$50 fee on parties convicted of DV, which will be routed to the DV Shelter Fund. The Coalition is supportive of raising funds for programs in AZ, but was neutral on the bill because we had some questions on the intent and administration of the measure.

SB 1611 (immigration omnibus): This bill failed on the Senate floor in March, along with **SB 1405 (hospital admissions; restrictions)**. We opposed both bills because they

would deter victims from seeking the medical care and emergency shelter that they need and deserve. What's more, provisions in SB 1611 would have required shelter workers to verify victims' citizenship status, which is against federal law and would have jeopardized millions of dollars in funding.

HB 2707 (general fund revenue limit): This "Taxpayers Bill of Rights" measure would have hindered Arizona's capability to recover from economic downturns. Luckily, Governor Brewer recognized this and vetoed the bill on April 28.

Looking Forward...

We anticipate another tough session in 2012 and we'll spend our summer and fall preparing for yet another budget battle and researching potential legislation. Be on the look out for our annual Legislative Survey in order to weigh in on possible bills.

The Systems Advocacy Department will continue to serve on several committees tasked to recommend changes to custody statutes. We know that not everyone understands the complex nature of domestic violence, which is why we'll be a voice for survivors during

the process.

And finally, the Coalition will be hiring a new Systems Advocate when Ana leaves for law school this summer. If you or anyone you know is interested in the position, please contact us for more information!

