

CONFIDENTIAL
AHS LEGISLATIVE BILL REVIEW FORM: 2015

Bill Number: H103 Name of Bill: An Act Relating to Psychological Abuse

Agency/ Dept: DCF Author of Bill Review: Karen Vastine

Date of Bill Review: 2.27.15

Related Bills and Key Players: Domestic Violence Council, VT Network Against Domestic & Sexual Violence, VT Center for Crime Victim Services

Status of Bill: (check one): Upon Introduction As passed by 1st body As passed by both

Recommended Position:

Support Oppose Remain Neutral Support with modifications identified in #8 below

Analysis of Bill

1. Summary of bill and issue it addresses. *Describe what the bill is intended to accomplish and why.*

This bill proposes to allow a person to obtain a relief from abuse order against a family or household member based on psychological abuse.

2. Is there a need for this bill? *Please explain why or why not.*

It's widely accepted that batterers use many tactics to control and abuse their intimate partner. According to the National Domestic Violence Hot-line, ½ of all women in the United States experience psychological abuse by an intimate partner. Many experts in domestic violence in the legal system, including **Leigh Goodmark** a Professor of Law at the University of Baltimore School of Law, have advocated for years that our current definitions of abuse in both criminal and family law statutes be expanded from physical harm or threat of harm to include psychological or mental abuse.

Expanding the definition of abuse would be more inclusive of the broad range of abuse experienced by victims of domestic violence.

3. What are likely to be the fiscal and programmatic implications of this bill for this Department?

This would add an additional layer of safety for some adult victims and their children. It is not clear that this would have fiscal implications for DCF.

4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?

This would impact the courts and would increase the caseloads for Relief from Abuse Order Hearings and would also require additional staffing for emergency orders that occur outside of courthouse hours. The Center for Crime Victim Services (who drafted the language) is very supportive.

Please return this bill review as a Microsoft Word document to Monica Hutt and Katie Whitney in the AHS Secretary's Office.

5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it? (for example, public, municipalities, organizations, business, regulated entities, etc)

For the member programs of the VT Network Against Domestic & Sexual Violence this would require additional advocates and volunteers at RFA hearings, however, they are very supportive of this language being added as it would offer additional protections to the victims of domestic violence they serve.

6. Other Stakeholders:

6.1 Who else is likely to support the proposal and why?

Vermont Legal Aid, other advocates for victims of domestic violence.

6.2 Who else is likely to oppose the proposal and why?

N/A

7. Rationale for recommendation: *Justify recommendation stated above.*

DCF supports this bill because it provides additional protections for children and families.

8. Specific modifications that would be needed to recommend support of this bill: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

N/A

9. Gubernatorial appointments to board or commission?

N/A

Secretary/Commissioner has reviewed this document: _____ **Date:** _____