



Preventing Violence Against Women

Protection, Penalties and Enforcement



Louisiana Legislation

- **2014 Domestic Violence Reduction**
 - Acts 194, 195, 317 and 663 by Rep. Helena Moreno
 - Acts 315 and 316 by Sen. Jean-Paul Morrell
- **2015 Sexual Assault Victim Treatment**
 - Acts 186 and 229 by Rep. Helena Moreno
 - Acts 172 and 276 by Sen. Jean-Paul Morrell

National Statistics

- 20 people per minute are victims of violence by an intimate partner
- 76% of intimate partner violence victims are female
- 1 in 3 female murder victims are killed by an intimate partner
- 1 in 5 women will be raped in her lifetime

Source:



State by State

- Highest rates of females murdered by men: SC, AK, NM, LA, NV (Violence Policy Center)
- Highest rates of reported forcible rape: AK, SD, MI, NM, AR (FBI Crime Statistics)

Louisiana

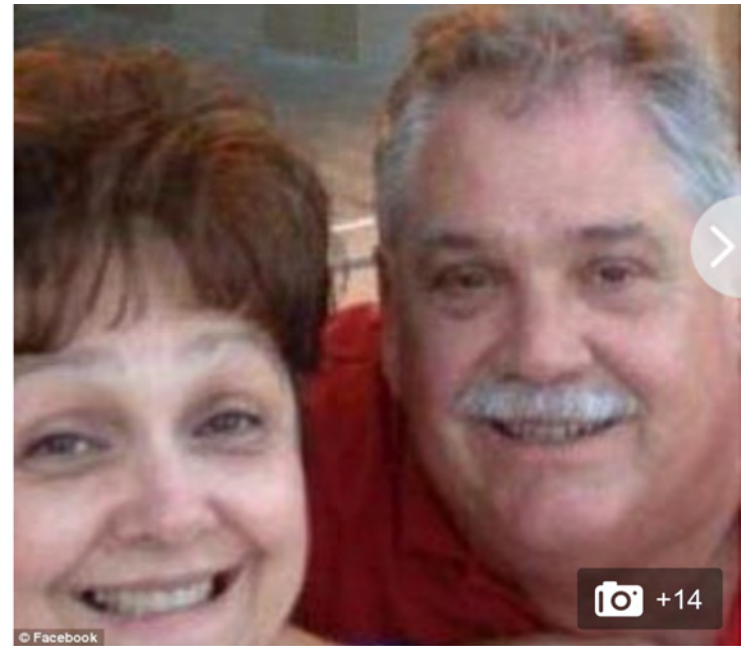
- 81% of female homicides were committed by a former or current partner*
- 76% of intimate partner murder victims had been stalked*
- Over five thousand women experience domestic violence in Louisiana annually*
- In rape cases, 86% of victims know the perpetrator (LaFASA)

*2015 LACADV Legislative Guide

2014 Domestic Violence Legislative Package “United Against Domestic Violence”



Newlywed shoots his wife, ex-mother-in-law and ex-boss before killing himself in Christmas murder suicide*



*Associated Press

I Ochsner St. Anne General Hospital

Civil Code

- Act 315/ SB 291 by Sen. Morrell
 - Authorizes punitive or exemplary damages
 - Serious bodily injury or severe mental and emotional distress
 - Wanton and reckless disregard for safety
 - Previous law only allowed punitive damages for drunk driving and human trafficking cases

Civil Code

- Act 316/SB 292 by Sen. Morrell
 - Provides option for immediate divorce for victims of domestic abuse
 - 70% of women injured in DV cases are injured after separation
 - Removes the 180 day waiting period
 - Domestic abuse may be a factor in determining spousal support and provides for optional lump sum of spousal support

Criminal Code

- Act 194/HB 747 by Rep. Moreno
 - Added Domestic Abuse Aggravated Assault to Crimes of Violence list
 - No release on recognizance for violation of protective order
 - Second Domestic Abuse Battery conviction is felony
 - DAIP program to be court monitored and requires 26 weeks

Criminal Code

- Act 317/HB 750 by Rep. Moreno
 - Expedited transmission of protective order to state registry and local law enforcement
 - Presumption person subject to protective order is predominant aggressor
 - At minimum, aggressor must receive summons

Criminal Code

- Act 195/HB 753 by Rep. Moreno
 - Prohibits firearm possession for duration of protective order
 - Prohibits firearm possession for ten years after completion of sentence for Domestic Abuse Battery
 - 63% domestic violence deaths in LA committed with a firearm (LACADV)
 - NRA neutral

Research, Data and Policy

- Act 663/HBI052 by Rep. Moreno
 - Creates the Domestic Violence Prevention Commission
 - Annual report
 - Policy recommendations

2015 Sexual Assault Legislative Package

- Improving treatment of victims
- Responding to sexual assault on campus



In Louisiana, Rape Victims Are Billed Thousands of Dollars for Hospital Exams

SLATE.com

Rape Victims in Louisiana Are Being Charged for Hospital Exams

TIME MAGAZINE

Billing for rape: Louisiana sex assault victims often face hefty bills for medical care

NOLA.com

Series of Problems

- Every parish operated differently
- Lack of training
- Who's in charge?
- Lack of consistency in Forensic Medical Exam and rape kits
- Kit testing confusion
- Who pays for what?

Improving Victim Treatment

- Act 229/HB 835 by Rep. Moreno
 - Details Forensic Medical Exam
 - Provides for direct billing to the State
 - Sets procedures for handling cases not reported to law enforcement
 - Provides time period for law enforcement to collect and test kits
 - Directs each medical district to submit regional plans for approval by Dept. of Health

Paying for Treatment

- Act 186/HB 143 by Rep. Moreno
 - Requires casinos and race tracks to remit revenue from unclaimed slot machine and racing vouchers to the State
 - Money stored in Victims Reparation Fund and used exclusively to pay for Forensic Medical Exams

Rape Kit Backlog

- Act 276/SB 242 by Sen. Morrell
 - Requires annual reporting by all law enforcement agencies
 - Number of kits in possession
 - Purpose for not testing

Sexual Assault on Campus

- Act 172/SB 255 by Sen. Morrell
 - Voluntary sexual assault climate survey
 - Campus security policy
 - Victim treatment
 - Investigation
 - Training

Conclusion

- Work in progress
- Accountability
- Training

Additional Information

- www.legis.la.gov
- <http://www.ncadv.org/learn/statistics>

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