

WISCONSIN SENATE REPUBLICANS

ISSUE BRIEFS FOR THE 2015-16 LEGISLATIVE SESSION

PUBLIC SAFETY: DOMESTIC VIOLENCE

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WHAT IS DOMESTIC VIOLENCE?

Domestic violence is the willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another. It includes physical violence, sexual violence, threats, and emotional abuse. The frequency and severity of domestic violence can vary dramatically.

DOMESTIC VIOLENCE IN WISCONSIN

- In 2012, 28,729 domestic violence incidents were referred to district attorneys. This statistic does not include unreported incidents, reported incidents that were not referred for prosecution, and dating abuse incidents.
- An arrest was made in 71% of reported domestic violence incidents. The most common charge made in these cases was disorderly conduct.
- In 2013, 55 people died in domestic violence-related homicides, including both victims and perpetrators.
- In a single day in 2014, Wisconsin domestic violence programs provided services to 1,949 victims.
- An estimated 12.7% of Wisconsin women will be stalked in their lifetimes.
- Wisconsin's death rate from domestic violence has been steadily decreasing since 2010.

DID YOU KNOW?

- 1 in 3 women and 1 in 4 men in the United States have experienced some form of physical violence by an intimate partner.
- Intimate partner violence accounts for 15% of all violent crime.

RELEVANT SESSION INFO

2015 WI ACT 4 (AB 10) - This bill clarifies the circumstances in which a court has subject matter and personal jurisdiction in certain actions for restraining orders or injunctions in cases of domestic abuse, child or at-risk adult abuse, or harassment. Under the bill, a court has jurisdiction of the subject matter to entertain those actions regardless of whether the alleged abuse or harassment occurred within the state.

2015 WI ACT 5 (AB 16) - Creates a public awareness campaign for the national human trafficking resource center hotline.

2015 WI ACT 349 (AB 615) - Requires the clerk of court to forward a copy of an order or injunction to a sheriff and the sheriff is required to assist the petitioner in serving the respondent, unless the petitioner opts to hire a private server at his or her own expense. The bill requires the clerk of court to maintain the form in a confidential manner, and allows the clerk of court to transmit documents to the sheriff electronically, so long as the contents of the documents are protected from unauthorized disclosure. The bill requires a sheriff who serves or executes a document and who uses an automated victim notification system to give the petitioner timely notification of the service.

2015 WI ACT 350 (AB 643) - Makes several changes to DOJ's victim compensation award program.

- If a victim suffers a disability as a result of the crime, covered expenses may include reasonable housing accessibility adaptations
- Adds victims of certain crimes to the list of persons eligible for compensation
- Increases the funeral and burial allowance to \$5,000
- Allows a parent of a child who was the victim to receive compensation up to \$3,000 for economic losses and for mental health treatment
- DOJ will consider reimbursing crime-related expenses incurred within four years after the crime occurred, except that if a victim was a minor child at the time the crime occurred, he or she may receive payments for up to four years after he or she applies for compensation
- Allows DOJ to make periodic payments without requiring death or a protracted disability
- Clarifies the method for determining the amount to compensate a dependent for the loss of the victim's economic support. 2015 SB 323, which makes changes to the victim advocate privilege and creates a right to accompaniment by a victim advocate for a victim of sexual assault, human trafficking or child sexual abuse

2015 WI ACT 352 (SB 351) incorporates into state law the 2002 Uniform Interstate Enforcement of Domestic Violence Protection Orders Act, as adopted by the National Conference of Commissioners on Uniform State Laws.

2015 WI ACT 354 (AB 652) allows crime victims, if he or she wishes, to be notified when an offender's release to parole or extended supervision is revoked for violating a condition of release, while AB 663 makes a variety of changes to the way restitution owed to crime victims is collected.

2015 WI ACT 353 (AB 767) allows a court, when issuing an injunction for things like domestic violence or child abuse, to order a wireless telephone service provider to transfer to the petitioner from the respondent the right to use one or more telephone numbers and the financial responsibility associated with the numbers.

2015 WI ACT 356 (SB 488) creates an address confidentiality program, administered by the Department of Justice, for victims of child abuse, domestic abuse, sexual abuse, stalking and human trafficking.