



2018 Domestic Violence Legislative Agenda

Arizona Domestic Violence Statute Modifications

ARS 13-3601. Domestic violence; definition; classification; sentencing option; arrest and procedure for violation; weapon seizure

Relationship Test

We are seeking to modify the relationship test to exclude relationships of non-familial persons residing together, as well as those in non-romantic or sexual relationships, such as individuals living in a group home, shelter or dorm facility.

Repeal of Mandatory Arrest

Mandatory arrest laws in domestic violence cases have caused an increase in the likelihood of dual arrest, which both individuals involved in a domestic violence incident are arrested, as well as resulted in disproportionate rates of prosecution and criminalization in communities of color. The law already states that officers may make an arrest when they have probable cause that an act of domestic violence has occurred, and this should be the standard that is followed.

Domestic Violence Offender Treatment

Offender Treatment Programs (OTP) are programs designed for those convicted of a misdemeanor crime of domestic violence per ARS 13-3601. Currently, program oversight and enforcement is managed through the Arizona Department of Health Services, as well as the Administrative Office of the Courts (AOC) - this proposal will give authority to the AOC. Furthermore, the statute currently allows for repeat offenders to be reordered to OTP repeatedly; new language will make it clear that those who have previously completed an OTP should be ordered to alternative treatment or alternatives sanctions considered.

Domestic Violence and Firearms

Accessibility to firearms facilitates and amplifies violence, as well as increases the likelihood that violence will occur. Abusers use firearms as their primary weapon of choice in domestic violence homicides and 3rd weapon of choice in non-fatal domestic violence assault. ACESDV supports universal background checks on firearm sales as a method to reduce perpetrators' access to firearms. ACESDV also supports stronger requirements and accountability around the surrender of firearms to ensure that they are appropriately turned into authorities and kept from those who are prohibited possessors under the law.

Funding for Domestic Violence Services

Diversified funding streams are necessary to enhance programs and services available to those impacted by domestic violence. Safety for survivors is often dependent upon an array of supports made available through community-based and direct service agencies. ACESDV would like to see the DV line item for services sustained and/or allocated in a manner that benefits those most in need. We do not support efforts to consolidate line items in the Community Services Administration of the Department of Economic Security; this will create more confusion and decrease accountability to both the Department and Legislature for support of crucial basic needs supports.

Other Areas of Interest

ACESDV believes in enhancing survivors' ability to maintain safety and promoting equity for the betterment of those affected by violence. We will continue to focus our efforts on additional legislative issues such as family law, healthcare and reproductive healthcare access, education, humane and just immigration policies and reform measures, including support for DREAMERS, and other areas that may impact sexual and domestic violence survivors and their families in Arizona.