

HB

44

# Alaska State Legislature

## HOUSE OF REPRESENTATIVES



### REPRESENTATIVE FRAN ULMER

#### MEMORANDUM

February 24, 1991

To: Representative Dave Donley, Chair  
House Judiciary Committee

From: Representative Fran Ulmer

Subject: CSHB 44, "An Act relating to domestic violence."

Domestic violence is epidemic nationally and in Alaska. Each year more than one million women in the United States are treated for injuries caused during battering. In Alaska, more than 19,000 women are victims of domestic violence. HB44 is an important bill which revises existing laws to improve protection of victims. The bill includes:

1. A change in the harassment statute to clarify that if a person knowingly violates a provision of a domestic violence restraining order, the crime of harassment is committed. Under current law, arrests and prosecutions are not being made because it is difficult to prove that the defendant acted with "intent" to harass.

2. An amendment to statute which states that the court, in determining conditions of release, shall consider ordering the defendant to participate in personal counseling that provides alternatives to aggression, rather than family counseling. Many battered women report that family therapy sessions were followed by violent episodes.

3. A change to expand the list of persons eligible to obtain domestic violence restraining orders to include people in dating relationships. This change is necessary to respond to the increasing problem with teen violence in Alaska.

4. A provision clarifying that the court is prohibited from issuing orders that restrain petitioners as well as respondents unless the court finds that the petitioner subjected the respondent to domestic violence. The practice of issuing mutual

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restraining orders is detrimental to the victim.

5. An amendment to law providing that the sentencing judge may mitigate the presumptive terms in cases of homicide and assault if the defendant acted in response to domestic violence perpetrated by the victim against the defendant or the defendant's child. The State of Washington lists domestic violence as a mitigating factor to presumptive sentencing. There are efforts underway in several states- including Ohio, which was highly publicized- to obtain pardons or sentence reductions for women where "the battered woman syndrome" was a precipitating factor.

Supporters of this bill include:

- Law Enforcement
- Alaska Department of Law
- Department of Health and Human Services, Municipality of Anchorage
- Alaska Network on Domestic Violence and Sexual Assault
- Alaska Council on Domestic Violence and Sexual Assault

Please schedule a hearing for this important bill at the earliest date possible. Thank you.

CSHB 44-- RELATED TO DOMESTIC VIOLENCE  
Sectional Analysis  
February 24, 1991

SECTION 1. Amends the harassment statute to clarify that if a person knowingly violates a provision of a domestic violence restraining order, the crime of harassment is committed.

SECTION 2. The change in this section is technical, necessitated by the renumbering in bill section 1.

Section 3. (a) The statutes are amended to specify that the court, in determining conditions of release, shall consider ordering the defendant to participate in personal counseling that provides alternatives to aggression if that counseling is available- rather than family counseling.

(b) The first change to the definition of domestic violence in this section is technical to make the definition consistent throughout the statutes. The second change amends and expands the list of persons eligible to obtain injunctive relief orders in cases of domestic violence to include people in dating, courtship or engagement relationships.

SECTION 4. Amends the statutes by establishing that a sentencing court may mitigate the presumptive terms in cases of assault, attempted assault, homicide or attempted homicide when the defendant acted in response to domestic violence against the defendant or a child of the defendant.

Section 5. The amendment is technical in order to make the definition of domestic violence consistent throughout the statutes, reference bill section 3.

Section 6. The amendment is technical in order to make the definition of domestic violence consistent throughout the statutes, reference bill section 3.

Section 7. The amendment is technical in order to make the definition of domestic violence consistent throughout the statutes, reference bill section 3.

Section 8. Technical amendments correct punctuation and make this section consistent with bill section 3 regarding conditions of release.

Section 9. Amends the statute to clarify that the court may not issue a domestic violence restraining order which restrains the petitioner as well as the respondent unless the respondent has been subjected to domestic violence by the petitioner.

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Section 10. This amendment is made to provide consistency in the statutes, see bill section 9.

Section 11. The amendment is technical in order to make the definition of domestic violence consistent throughout the statutes, reference bill section 3.

Section 12. The change is technical, necessitated by renumbering in bill section 1.

CSHB 44-- RELATED TO DOMESTIC VIOLENCE  
Sectional Analysis  
February 5, 1991

SECTION 1. Amends the harassment statute to clarify that if a person knowingly violates a provision of a domestic violence restraining order, the crime of harassment is committed.

SECTION 2. The change in this section is technical, necessitated by the renumbering in bill section 1.

Section 3. (a) The statutes are amended to specify that the court, in determining conditions of release, shall consider ordering the defendant to participate in personal counseling that provides alternatives to aggression if that counseling is available. The court shall no longer consider ordering the defendant to engage in family counseling.

(b) The first change to the definition of domestic violence in this section is technical to make the definition consistent throughout the statutes. The second change amends and expands the list of persons eligible to obtain injunctive relief orders in cases of domestic violence to include people in dating, courtship or engagement relationships.

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Section 12. The change is technical, necessitated by renumbering in bill section 1.

# ALASKA NETWORK ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

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Abused Women's Aid in Crisis (AWAIC);  
Advocates for Victims of Violence (AVV);  
Aiding Women in Abuse and Rape Emergencies (AWARE);  
Alaska Women's Resource Center (AWRC); Arctic Women in Crisis (AWIC);  
Bering Sea Women's Group (BSWG); Emmonak Women's Shelter;  
Kodiak Women's Resource & Crisis Center (KWRC);  
Maniqa Regional Women's Crisis Program;  
Tongass Community Counseling Center; Parent Aid Family Support Center;  
Safe & Fear-Free Environment (SAFE); Siskans Against Family Violence (SAFV);  
Seward Life Action Council (SLAC); Southwestern Alaska Council  
for the Prevention of Child Sexual Assault (SWACPCSA);  
South Peninsula Women's Services (SPWS);  
Standing Together Against Rape (STAR); Tundra Women's Coalition (TWC);  
Unalaskans Against Sexual Assault & Family Violence (USAFV);  
Valley Women's Resource Center (VWRC);  
Women in Crisis Counseling & Assistance (WICCA);  
Women in Safe Homes (WISH); Women's Resource & Crisis Center (WRCC)

The Network on Domestic Violence and Sexual Assault supports HB 44 which provides important protection for victims of domestic violence. The comments focus on the substantive sections of the bill.

Section 1 changes the harassment statute so it is clear that any contact in violation of a restraining order is illegal. Arrests and prosecutions for contacts in violation of restraining orders are not being made under the language of the existing law because it is difficult to prove that defendants "intended" to harass or annoy the other parties. Yet, acts which on their face do not appear to be threatening or even objectionable, may be threatening given the history of a violent relationship.

Law enforcement officials state that harassment is considered one of the least serious crimes. The bill would increase the degree of crime for violation of restraining order to a Class A misdemeanor in order to increase attention to and supervision of respondents who violate restraining orders. This is important since studies show that violation of court orders is an indicator of an abuser's potential lethality.

Sections 4 and 9 change statutes to afford more protection to victims by changing language that allows courts to order defendants released before trials in criminal domestic violence cases or respondents of domestic violence restraining orders to engage in family counseling or mediation. With the new language courts are allowed to order defendants or respondents "to engage in personal counseling; if the court shall provide in that order that the counseling must propose alternatives to aggression if that type of counseling is available".

Family counseling and mediation are dangerous in domestic violence cases. Many battered women report that past family therapy and mediation sessions were followed by violent episodes. In family counseling, battering is not seen as the primary treatment issue but rather a symptom of some larger underlying problem. The result of this is that the batterers' non-violence may be seen as "negotiable". The primary purpose of a restraining order is safety for the victim. It is important for the batterer to address his/her violence, and that is best accomplished in a setting where the counselors are trained in domestic violence.

Sections 4, 7, 8 and 12 expand the list of persons eligible to obtain injunctive relief orders in cases of domestic violence as well as other legal protections provided to victims of domestic violence to include people in dating, courtship or engagement relationships.

There are many instances when people in dating, courtship or engagement relationships, adults and teens, need the protection of domestic violence restraining orders. Also, police officers may arrest for domestic violence misdemeanor assaults even if it was not committed in their presence: it is important that this protection be provided in dating, engagement and courting relationships.

Section 5 adds a mitigating factor to presumptive sentences for assaults or attempted assaults or for homicides or attempted homicides when the defendant acted in response to aggravated or repeated instances of domestic violence perpetration by the victim against the defendant.

Domestic violence, child abuse and elder abuse continue to be acute problems in our state. Victims of domestic violence who have been the victims of repetitive physical and psychological abuse develop the "battered woman syndrome." As the battered woman's syndrome progresses, a battered woman becomes economically and psychologically unable to leave her attacker. Also, victims who leave their abuser are in danger; many abusers do kill victims who leave. Battered women who kill their batterers are normally not a danger to society. They have committed this crime because they have no other way out of the brutal situations they were in or because they perceived they had no way out. For these reasons, it is important that the criminal justice system recognize that the crimes they committed against their batterers may be a form of self-defense.

Section 11 provides that judges may issue mutual restraining orders only if the respondent has been subjected to domestic violence. On February 1, the Council on Domestic Violence and Sexual Assault conducted a statewide teleconference and learned that courts in various communities are issuing orders that restrain petitioners as well as respondents. This restraint is usually not based on evidence that the petitioner was violent toward the respondent. This practice is against evidentiary standards of law and runs counter to the recommendations of the National Council of Juvenile and Family Court judges. Although the Network believes that existing law was not meant to restrain a petitioner, this becomes more important with the changes proposed in HB 44 which would make any contact in violation of a restraining order a crime.

**KENNETH C. KIRK**

Attorney-at-Law  
540 L Street, Suite 206  
Anchorage, Alaska 99501  
(907) 279-1659

February 19, 1991

VIA FAX - 465-2652

House Health and Social  
Services Committee

Re: HB 44

To Whom it May Concern:

I am writing to comment on House Bill 44, an act relating to domestic violence.

My primary concern with regard to this bill are the two sections in which a judge in a domestic violence case loses the option of ordering family counseling. I believe that judges should retain this option.

I suspect those who are pushing for this language will press the concept that all of these domestic violence cases involve husbands who intimidate and beat their wives, and that therefore it is unreasonable to force the battered wife into counseling. Unfortunately, that does not square with the facts of most domestic violence cases. I would guess that the majority of such petitions involve threats, property damage, mutual violence, or very light physical contact such as grabbing somebody by the arm or pushing somebody on the way out the door. The petitions are usually granted by the courts because they are concerned that the situation might elevate into actual, serious domestic violence. Nonetheless, they are not battering cases and don't deserve to be treated as if they are.

Another thing to keep in mind is that family counseling is merely an option for the judge, and not mandatory. I haven't seen anything to suggest that judges are overusing family counseling; in fact a family counseling order is fairly rare in the courtroom on the days these cases are heard. Nonetheless, it is an option available to the judge if he gets one of those cases in which it appears that the central problem is that communications within the family are breaking down. This is not the old days in which judges felt morally compelled to try to force warring couples back together; judges have generally used the power to order family counseling very conservatively.

House Health and Social  
Services Committee  
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February 19, 1991

An additional word on mutual violence: The petitioner is simply the party who got down to the courthouse first to file something. The question of who is the petitioner and who the respondent can be an arbitrary one. In some cases the language being proposed may prevent the court from ordering counseling for the real instigator of domestic violence.

The divorce rate in this country is a national tragedy. This is a societal problem, and there is rarely anything the courts or the lawyers can do to change that statistic. There are those, however, who continually push for additional legislation or court decisions which impel marriages which might otherwise be salvageable toward an inevitable divorce. For instance, attorneys who push for absolute no-contact orders (no phone, no letters, no counseling, no intermediaries) early in a separation are contributing to the divorce rate. All marriages have problems at some point or other, but we should not necessarily assume that the marriage is irreparable merely because one of the parties went down to the night magistrate and filed a paper to try to get the other party removed from the house. Commentators constantly bemoan the high divorce rate in this county; in HB 44 the legislature is being tempted to make it worse.

Sincerely yours,



KENNETH C. KIRK

KCK/baj

# Alaska State Legislature

## HOUSE OF REPRESENTATIVES



REPRESENTATIVE FRAN ULMER

### MEMORANDUM

February 6, 1991

To: Representative Georgianna Lincoln, Co-chair  
House Committee on Health, Education and Social  
Services

From: Representative *Fran* Ulmer

Subject: CSHB 44, "An Act relating to domestic violence."

Domestic violence is epidemic nationally and in Alaska. Each year more than one million women in the United States are treated for injuries caused during battering. In Alaska, more than 19,000 women are victims of domestic violence. HB44 revises existing laws to improve protection of those victims. The bill includes:

1. A change in the harassment statute to clarify that if a person knowingly violates a provision of a domestic violence restraining order, the crime of harassment is committed. Under current law, arrests and prosecutions are not being made because it is difficult to prove that the defendant acted with "intent" to harass.

2. An amendment to statute to disallow an order by the court that the defendant participate in family counseling; rather that personal counseling which proposes alternatives to aggression be ordered. Family counseling is dangerous in domestic violence cases. Many battered women report that family therapy sessions were followed by violent episodes.

3. A change to expand the list of persons eligible to obtain domestic violence restraining orders to include people in dating relationships. This is in response to teen violence.

4. A provision clarifying that the court is prohibited from issuing orders that restrain petitioners as well as respondents unless the court finds that the petitioner subjected the respondent to domestic violence. The practice of issuing mutual restraining orders is detrimental to the victim.

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page 2

5. An amendment to law providing that the sentencing judge may mitigate the presumptive terms in cases of homicide and assault if the defendant acted in response to domestic violence perpetrated by the victim against the defendant or the defendant's child. The State of Washington lists domestic violence as a mitigating factor to presumptive sentencing. There are efforts underway in several states- including Ohio, which was highly publicized- to obtain pardons or sentence reductions for women where "the battered woman syndrome" was a precipitating factor.

Received 2/11/91  
Submitted by Cindy Smith

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# ALASKA NETWORK ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

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Abused Women's Aid in Crisis (AWAIC);  
Advocates for Victims of Violence (AVV);  
Aiding Women in Abuse and Rape Emergencies (AWAIRE);  
Alaska Women's Resource Center (AWRC); Arctic Women's Crisis (AWIC);  
Bering Sea Women's Group (BSWG); Emmonak Women's Shelter;  
Kodiak Women's Resource & Crisis Center (KWRC);  
Matanuska Regional Women's Crisis Program;  
Tongass Community Counseling Center; Parent Aid Family Support Center;  
Safe & Fear-Free Environment (SAFE); Saklans Against Family Violence (SAFV);  
Seward Life Action Council (SLAC); Southcentral Alaska Council  
for the Prevention of Child Sexual Assault (SWAC/PCSA);  
South Peninsula Women's Services (SPWS);  
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The Network on Domestic Violence and Sexual Assault supports HB 44 which provides important protection for victims of domestic violence. The comments focus on the substantive section of the bill.

Section 1 changes the harassment statute so it is clear that any contact in violation of a restraining order is illegal. Arrests and prosecutions for contacts in violation of restraining orders are not being made under the language of the existing law because it is difficult to prove that defendants "intended" to harass or annoy the other parties. Yet, acts which on their face do not appear to be threatening or even objectionable, may be threatening given the history of a violent relationship.

The Network has several suggestions about this issue of violating a restraining order. On February 1, the Council on Domestic Violence and Sexual Assault conducted a statewide teleconference and learned that courts in various communities are issuing orders that restrain petitioners as well as respondents. This restraint is usually not based on evidence that the petitioner was violent toward the respondent. This practice is against evidentiary standards of law and runs counter to the recommendations of the National Council of Juvenile and Family Court judges. Therefore, the ~~Network~~ <sup>Network</sup> recommends the following clarification be added to AS 25.35.010 (a new section (d)):

Notwithstanding (b) of this section, the court may not enter an order restraining the petitioner unless the court finds evidence that the petitioner subjected the respondent to domestic violence.

AS 25.35.020 will also need to be revised to add a similar provision. Although the Network believes that existing law was not meant to restrain a petitioner, this becomes more important with the changes proposed in HB 44 which would make any contact in violation of a restraining order a crime.

Also, the Network would like to see contact in violation of a restraining order as a separate crime, not part of the harassment statute. The new section could be called Violation of a Domestic Violence Injunctive Relief Order. Law enforcement officials state that harassment is considered one of the least serious crimes. The Network would also like to see the degree of crime for violation of restraining order increased to a Class A misdemeanor.

to: Patty  
HULL HESS

Sections 3 and 9 change statutes to afford more protection to victims by changing language that allows courts to order defendants released before trials in criminal domestic violence cases or respondents of domestic violence restraining orders to engage in family counseling or mediation. With the new language courts are allowed to order defendants or respondents "to engage in personal counseling; if the court shall provide in that order that the counseling must propose alternatives to aggression if that type of counseling is available".

Family counseling and mediation are dangerous in domestic violence cases. Many battered women report that past family therapy and mediation sessions were followed by violent episodes. In family counseling, battering is not seen as the primary treatment issue but rather a symptom of some larger underlying problem. The result of this is that the batterers' non-violence may be seen as "negotiable". The primary purpose of a restraining order is safety for the victim. It is important for the batterer to address his/her violence, and that is best accomplished in a setting where the counselors are trained in domestic violence.

Sections 3, 7, 8 and 10 expand the list of persons eligible to obtain injunctive relief orders in cases of domestic violence as well as other legal protections provided to victims of domestic violence to include people in dating, courtship or engagement relationships.

There are many instances when people in dating, courtship or engagement relationships, adults and teens, need the protection of domestic violence restraining orders. Also, police officers may arrest for domestic violence misdemeanor assaults even if it was not committed in their presence; it is important that this protection be provided in dating, engagement and courting relationships.

Section 4 requires a minimum sentence of imprisonment of not less than 72 consecutive hours for a defendant previously convicted of a misdemeanor or felony involving domestic violence. Although the Network is concerned that many domestic violence offenders (including second and third-time offenders) are not serving any time in jail, the Network does not believe this section will address that problem. Records kept by various criminal justice agencies do not distinguish between domestic violence and non-domestic violence crimes. For example, if an individual is charged with fourth degree assault, there would be no way of knowing if that was a domestic violence assault.

Section 5 adds a mitigating factor to presumptive sentences for assaults or attempted assaults or for homicides or attempted homicides when the defendant acted in response to aggravated or repeated instances of domestic violence perpetration by the victim against the defendant or a minor child of the defendant. Since elder abuse is a problem in Alaska, the Network suggests specifying immediate family member not just minor child of the defendant.

Cindy Smith 3 of 3

Domestic violence, child abuse and elder abuse continue to be acute problems in our state. Victims of domestic violence who have been the victims of repetitive physical and psychological abuse develop the "battered woman syndrome." As the battered woman's syndrome progresses, a battered woman becomes economically and psychologically unable to leave her attacker. Also, victims who leave their abuser are in danger; many abusers do kill victims who leave. Battered women who kill their batterers are normally not a danger to society. They have committed this crime because they have no other way out of the brutal situations they were in or because they perceived they had no way out. For these reasons, it is important that the criminal justice system recognize that the crimes they committed against their batterers may be a form of self-defense.

HB 44 -- RELATED TO DOMESTIC VIOLENCE  
Sectional Analysis

SECTION 1. Amends the harassment statute to clarify that if a person knowingly violates a provision of a domestic violence restraining order, the crime of harassment is committed.

SECTION 2. The change in this section is technical, necessitated by renumbering in bill section 1.

SECTION 3.(a) The statutes are amended to specify that the court, in determining conditions of release, shall consider ordering the defendant to participate in personal counseling that provides alternatives to aggression if that counseling is available. The court shall no longer consider ordering the defendant to engage in family counseling.

(b) The first change to the definition of domestic violence in this section is technical to make the definition consistent throughout the statutes. The second change amends and expands the definition to provide protection under the statutes for victims who have been in dating, courtship or engagement relationships with the defendant.

SECTION 4. Provides for a mandatory jail sentence of not less than 72 consecutive hours if the defendant is convicted of a misdemeanor involving domestic violence and if in the last ten years the defendant was convicted of either a felony or a misdemeanor involving domestic violence.

SECTION 5. Amends the statutes by establishing that a sentencing court may mitigate the presumptive terms in cases of assault, attempted assault, homicide or attempted homicide when the defendant acted in response to domestic violence against the defendant or a child of the defendant.

SECTION 6. The amendment is technical in order to make the definition of domestic violence consistent throughout the statutes, reference bill section 3.

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SECTION 9. Technical amendments correct punctuation and make this section consistent with bill section 3 regarding conditions of release.

SECTION 10. The amendment is technical in order to make the definition of domestic violence consistent throughout the statutes, reference bill section 3.

SECTION 11. The change is technical, necessitated by renumbering in bill section 1.

BILL NO: HB 44

DATE: February 6, 1991

TITLE: An Act relating to domestic violence.

CONTACT: Barbara Miklos  
Executive Director  
Council on Domestic Violence  
and Sexual Assault

COUNCIL ON DOMESTIC VIOLENCE  
AND SEXUAL ASSAULT

The Council on Domestic Violence and Sexual Assault supports HB 44. This legislation contains numerous sections that will promote the protection of victims of domestic violence. As more is learned about the dynamics of domestic violence, it becomes apparent that revisions must be made to existing laws. This legislation addresses many of the changes in legislation the Council has identified as important.

Alaska continues to maintain high rates of domestic violence. According to a study conducted by the University of Alaska, 26% of the women in Alaska have been victims of domestic violence in their lives. Recently in Anchorage, an apparent domestic violence murder-suicide was committed. Tragedies such as this point out how important it is that changes in legislation to further protect victims are identified and made.

*Bym (K)* Andy Klamsner  
Andy Klamsner, Chair  
Council on Domestic Violence  
and Sexual Assault



# Sitkans Against Family Violence



February 1, 1991

To Whom It May Concern:

I am writing to indicate my support for Representative Ulmer's bill, HB 44. The revisions made to existing law within this bill are very much needed.

In my work in a shelter for battered women, I have seen many situations where a woman is abused by a dating partner with whom she has never lived. According to existing temporary restraining order procedures, that woman is not eligible for relief from the court, even though her situation may be as violent and dangerous as a woman who has lived with her batterer.

The issue of "personal or family counseling" is also significant. We find that any counseling which forces the victim of violence into an office with her perpetrator is both unproductive and dangerous. A victim of violence cannot speak honestly about problems in a relationship in front of her perpetrator; she is endangered if she does so. The therapist may be able to stop violence in her/his office, but s/he can do nothing about what happens once the couple leaves. Sentencing a batterer to joint counseling forces the victim into this compromised position. I very much support Representative Ulmer's suggested revision in this area.

Thank you for considering my input. I would be happy to provide further comment at any time.

Sincerely,

*Kathleen McGraw*  
Kathleen McGraw  
Executive Director

# Abuse victim freed after Seldovia stabbing case review

ANCHORAGE (AP) — Jailing a battered woman who killed her abusive boyfriend in Seldovia after a tormented relationship would be unjust, a special three-judge panel ruled Friday.

The panel sentenced Wanda Darlene Pabst, 41, to one year in jail, which is equivalent to time she has already served, and to four years probation. During that time, she will be required to attend about 13 months in residential treatment programs for battered women with alcohol problems.

"We see no need to confine her to protect the public," Superior Court Judge Brian Kortell said after the judges Friday listened to expert testimony that Pabst was a victim of "battered women's syndrome."

Pabst was charged with second-degree murder after stabbing Albert Gibbs in the chest at their Seldovia home in June. The state later reduced the charge to manslaughter, which carries a five-year presumptive sentence. Pabst pleaded no contest.

The case was referred to the three-judge sentencing panel in November when a Kenai judge concluded Pabst should be given a lesser sentence than the minimum 2½-year term he could legally impose.

When Gibbs was killed, he and Pabst had been living together for about a year. Court records show Gibbs repeatedly beat Pabst, sodomized her against her will, ripped out her fingernails and once forced her head into a "honey bucket."

Pabst learned only after he was dead that Gibbs had a long history of violent behavior, including convictions for assault and rape.

Three times during the year they lived together Pabst filed assault charges against Gibbs for beating her. Each time she asked that the charges be dropped.

In arguing for the five-year presumptive sentence, Assistant District Attorney Rhonda Butterfield Roberson of Kenai said Pabst should be held responsible for Gibbs' death because she rejected efforts by police

and prosecutors to jail him and free her from the relationship.

"This whole thing could have been prevented if she had taken advantage of the protections offered by the system," Roberson said after the hearing.

But defense lawyer Kevin McCoy of Kenai said Gibbs isolated Pabst from her friends and family, controlled her money and convinced her no one would believe her if she took him into court.

Frances Purdy, an expert in domestic violence, testified Friday that Pabst's feelings of hopelessness and

of being trapped are typical of battered women. Pabst was reared by abusive parents, she said.

On June 5, the night of the killing, Pabst and Gibbs spent part of the evening drinking at the Seldovia Lodge Bar and got into an argument when Pabst dropped her wallet and Gibbs refused to give it back. When they got home, Gibbs removed three photographs of Pabst's children from the wallet and burned them in front of her, court documents show.

Pabst went into the bathroom, noticed a knife

there, took it and stabbed Gibbs once in the chest. She called for help immediately, but Gibbs was stabbed in the heart and he died.

Speaking in her defense Friday, Pabst said she stayed with Gibbs because he was not all bad and she wanted things to work out. She said, "I thought he'd change."

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**HEA Director**

TESTIMONY TO HOUSE HESS

7 FEB 91

HB 44

①

Good morning, I am Steve Steube, Pres. of the Alaska Family Support Group. I am here this morning to express strong objections to this bill as written by Alaska's Pro-Family interests.

We have some very serious concerns about this bill regarding the language change on Page 3 lines 8, 9, 10 that remove the words [or family] and new text is added. This change takes domestic violence out of the realm of family violence and places the blame solely on the defendant.

Please note that Black's law dictionary defines domestic relations as that branch of law which deals with matters of the household or family. We deplore family violence and we believe the domestic violence issue is a family issue, not an issue to be dealt with solely by counseling the accused. Shouldn't the perpetrator also be required to engage in counseling?

Family Violence in America is a national disgrace. The latest research in this field shows that more often than not mutual battering occurs rather than unilateral violence. Prof R L McNeely, PHD, submitted research to Congress on this issue that reveals male battering by women occurs at a 2 to 1 ratio more often than male to female violence.

On page 3 line 13, we make note that children are included in this domestic violence bill. What is the difference between an act of domestic violence against a child, and child abuse?

Will accusations of child abuse/neglect be handled under this law or under current child abuse laws? (2)

The addition to the statute on page 3, lines 21 thru 30, take the courts discretion away to apply reasonable penalties for domestic violence convictions. The court now has the option to impose sentences of imprisonment for convictions. This addition will result in mothers going to jail at an alarming rate. Statistics released by DFYS Director Russ Webb on Jan 20, 1991 to Sandy Armstrong, Alaska Dads and Moms, shows that during the period 1987, 88, 89, 90, women were the perpetrators of child abuse neglect in 58% of the cases.

Regarding the same section of the bill - Does the issuance of a temporary restraining order constitute a conviction to be used as criteria for imprisonment? Please note that the manner in which TRO's are issued in Alaska violate due process of the accused because they are issued with no notice, and deny the accused the opportunity to deny or disprove the allegations or request that his children be able to access him (OR HER) during the period covered by the ~~order~~ order. Will passage of this bill mean that all child abuse/neglect allegations will be initiated by a TRO? How will this affect DFYS workload?

Finally, we are very concerned that false domestic violence, and child abuse/neglect allegations are being made in divorce proceedings to remove a parent from the home, and that 90% of these allegations are found to be invalid. Is this bill a tool to cut children completely out of their fathers lives?

We respectfully request that this bill be held in committee until we have the opportunity to have our legal council do a thorough analysis. We would also like to work with this committee on this bill to make it acceptable to families and children. We ~~look~~<sup>will</sup> forward copies of research to you that addresses the points made in our testimony. ⑤

- Steven P. Strube  
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BIG LK, AK 99652  
892-7760

# HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES

P.O. BOX V, JUNEAU 99811  
(907) 465-3759



## MEMORANDUM

To: Representative Donley, Chair  
House Judiciary Committee  
From: Representative Pat Carney, Co-Chair  
House HESS Committee  
Date: February 25, 1991  
Re: CSHB 44

I received a letter from a constituent who had submitted the attached statement as testimony in support of HB 44. Unfortunately it did not reach the HESS Committee and was not included in the committee records. I have informed Ms. Bogda that the statement would be forwarded to you for insertion in the record. Thanks.



# Alaska State Legislature

Please enter into the record my testimony to the House HESS  
committee name  
committee on HB 44, dated February 7, 1991  
bill/subject

Often when a victim seeks assistance to end the domestic violence in her life (women are the victims in more than 95% of domestic violence cases, frequently with injuries that require professional medical care), the domestic violence writ is the first step she takes in protecting herself and her children from further assaults. In thirteen years as a worker in the field of domestic violence and sexual assault, it is rarely if ever that I have seen a woman undertake the task of filing a domestic violence writ with ease. Their motivation is most frequently safety, but their concern is the effect it will have on the person whom the writ will restrain, their abusive partner. Fortunately they decide that their life, literally, is more important.

House Bill 44 is an extremely valuable piece of legislation, because it will fill in areas of the current legislation which make it difficult for persons with a writ to have more complete protection. The bill also broadens the scope of protection to victims not currently included, persons in dating relationships.

I am pleased that law enforcement officers and the Department of Law testified in support of this bill. Their insight and input further strengthen a bill which can only make the State of Alaska a safer place to live.

Thank you to the House HESS Committee for your commitment to "moving" bills during this legislative session. In this case it may well save lives.

*Laura D. Boone*

# Alaska State Legislature



Representative Patrick J. Carney

Co-Chair  
Health, Education and  
Social Services Committee

Resources Committee

Legislative Budget and Audit

Special Committee  
on Oil and Gas

During Session:  
State Capitol  
P.O. Box V  
Juneau, Alaska 99811  
(907) 465-2186

During Interim:  
P.O. Box 87-1746  
Wasilla, Alaska 99687  
(907) 373-2518

February 25, 1991

Leslie D. Bogda, Executive Director  
Valley Women's Resource Center  
403 South Alaska Street  
Palmer, Alaska 99645

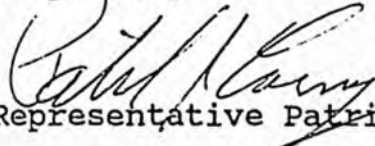
Dear Ms. Bogda:

I am in receipt of your letter of February 21, 1991 concerning HB 44, together with a copy of your testimony in support of the bill.

CSHB 44 passed out of the House HESS Committee on February 20th, and has been forwarded to the House Judiciary Committee. However, I had not seen the testimony which you submitted with your letter. I have taken the liberty of forwarding your statement to the House Judiciary Committee for their consideration. The House Judiciary Committee has not yet set CSHB 44 for hearing as of this date.

I look forward to seeing you when you are in Juneau.

Very truly yours,

  
Representative Patrick Carney

pc/jrm

PS: A copy of CSHB 44 is enclosed for your reference.



Abused Women's Aid in Crisis, Inc.

100 W. 13TH AVENUE • ANCHORAGE, AK 99501 • (907) 279-9581  
March 11, 1991

Rep. Dave Donley, Chair  
House Judiciary Committee  
P. O. Box V  
Juneau, AK 99811

Dear Rep. Donley,

I would like to voice my support for the committee substitute for HB44. A temporary restraining order aims to protect the individual from harm and harassment. We often see cases where the women and children have experienced fear when he has come to the door of the house, or placed constant phone calls when he knows the restraining order is in place. They haven't felt safe. They also know they may or may not have been able to prove intent to harass as exists under the current law. They are in fear, yet another burden is placed on them.

I would also support the provision that adds a dating, courtship or engagement relationship with the defendant in Sec. 3, line 17. I would like to remind the committee that Anchorage has experienced deaths in dating relationships just the past year. Those women needed the same access to the law as others have. I understand this provision is consistent with California state law.

I thank you for your support of this bill.

Sincerely,

Nancy K. Scheetz-Freymler  
Executive Director



# HOUSE COMMITTEE REPORT

(7)  
Date Referred: February 22, 1991

FURTHER REFERRALS:

Finance

Date of Committee Action: 3-13-91

The JUDICIARY Committee considered:

HB 44

HOUSE BILL NO. 44

AMENDING DOMESTIC VIOLENCE LAWS

"An Act relating to domestic violence."

**RECOMMENDATIONS:**

be replaced with CS HB 44 (Juo)  the same title  
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_

APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_

fiscal impact \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

2  zero fiscal note Admin; Pub Def. OPA

3  zero fiscal note(s) Pub. Safety - 2-22-91

Corrections 2-22-91

Courts 2-22-91

**SIGNING DO PASS:**

**SIGNING OTHER RECOMMENDATIONS:**

Signature	Check appropriate column:	Do Not Pass	No Rec	Amend
<u>Dave Donley</u>				
<u>Terry Martin</u>			<input checked="" type="checkbox"/>	
<u>Mark Stealey</u>				
<u>Mike Miller</u>				
<u>Kevin Padrasnell</u>				
<u>J. Ellis</u>				

Dave Donley  
Chairman's Signature



STATE OF ALASKA  
1991 LEGISLATIVE SESSION

BILL NO. HB 44

Revision Date: \_\_\_\_\_ Department Affected: Administration  
 Title: "An Act relating to domestic violence." BRU: Office of Public Advocacy  
 Component: Office of Public Advocacy  
 Sponsor: Ulmer, Parnell, B. Davis  
 Requestor: House Judiciary COMPONENT SERIAL NO. 

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

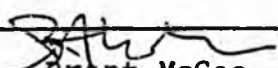
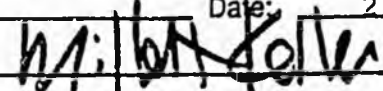
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.) See Attached

Prepared By:  Brant McGee, Public Advocate Phone: 274-1684  
 Division: Office of Public Advocacy Date: 2/5/91  
 Approved by Commissioner:  Millett Keller  
 Agency: Department of Administration Date: 2/8/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB 44

It is unlikely that the number of new cases generated under the provisions of this bill will have a significant impact on the Office of Public Advocacy civil and criminal caseload.

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

Bill Version: C SHB 44 (HES)  
(H) Publish Date: 2/22/91

Revision Date: \_\_\_\_\_  
Title: An act relating to domestic violence  
Sponsor: Rep. Ulmer  
Requestor: H. HESS

Department Affected: Public Safety  
BRU: Alaska State Troopers  
Component: Detachments

COMPONENT SERIAL NO. 

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EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not Included)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER/PROG RCPT						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact None

ANALYSIS: (Attach a separate page if necessary)  
No fiscal impact anticipated.

Prepared by: Gayle A. Horetski Phone: 465-4322  
Division: Commissioner's Office Date: 2/6/91  
Approved by Commissioner: Gayle A. Horetski Richard L. Burton  
Agency: Department of Public Safety Date: 2/6/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Revision Date: \_\_\_\_\_ Department Affected: Corrections  
 Title: "An Act relating to domestic violence." BRU: \_\_\_\_\_  
 Sponsor: Rep. Fran Ulmer Component: \_\_\_\_\_  
 Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. 

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

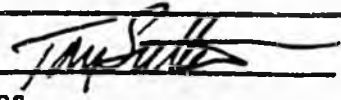
GENERAL FUNDS						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Tom Sutton, Director  Phone: 465-3376  
 Division: Administrative Services Date: 02-05-91

Approved by Commissioner: \_\_\_\_\_ Date: 02-05-91  
 Agency: Department of Corrections

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

lo. 3  
 Bill Version: CSHB 44 (HES)  
 (H) Publish Date: 2/22/91

STATE OF ALASKA  
 1991 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Department Affected: Alaska Court System  
 Title: An Act relating to domestic violence BRU: Trial Courts  
 Components: \_\_\_\_\_  
 Sponsor: Ulmer, Parnell, B. Davis  
 Requestor: Ulmer COMPONENT SERIAL NO. 

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

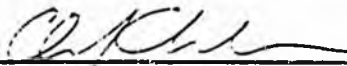
GENERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)  
 No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel  Phone: 264-8228  
 Division: Alaska Court System Date: 02/04/91

Approved by: Arthur H. Snowden, II, Administrative Director  Date: 02/04/91  
 Agency: Alaska Court System

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

SECTIONAL ANALYSIS  
CS FOR HOUSE BILL 44( )  
MARCH 13, 1991

SECTION 1.

Moves violating a Domestic Violence Restraining Order to a new section from the harassment section so that it can be readily identified. The offense is a class A misdemeanor. The section also clarifies that the crime is committed if a person knowingly violates a provision of the restraining order. Under current law, arrests and prosecutions are not being made because it is difficult to prove that the defendant acted with "intent."

SECTION 2.

Removes section (a) (6) which established that the crime of harassment was committed if a defendant violated a restraining order baring communication. That action will be the offense created in Bill Section 1, Violating a Domestic Violence Restraining Order.

SECTION 3.

The change in this section is technical, references the reader to the changes made in Bill Section 1.

SECTION 4.

- (lines 14 through 16) Specifies that the court, in determining conditions of release, shall consider ordering the defendant to participate in personal counseling that provides alternatives to aggression if that counseling is available- rather than family counseling.

- (lines 18 and 19) The change is technical to make the definition of domestic violence consistent throughout the statutes. (See AS 18.66.900 (3).)

- (lines 22 and 23) Expands the list of persons eligible to obtain domestic violence restraining orders to include persons in dating, courtship or engagement relationships.

SECTION 5.

Establishes that a sentencing court may mitigate the presumptive terms in cases of assault, attempted assault, homicide or attempted homicide when the defendant acted in response to domestic violence against the defendant.

SECTION 6.

The amendment is technical to make the definition of domestic violence consistent throughout the statutes.

SECTION 7.

The amendment is technical to make the definition of domestic violence consistent throughout the statutes.

SECTION 8.

The amendment is technical to make the definition of domestic violence consistent throughout the statutes.

SECTION 9.

The amendments are technical to correct punctuation and make this section consistent with bill section 4, regarding conditions of release.

SECTION 10.

Clarifies that the court may not issue a domestic violence restraining order which restrains the petitioner as well as the respondent unless the respondent has been subjected to domestic violence by the petitioner.

SECTION 11.

The amendment is made to make this section consistent with Bill Section 10.

SECTION 12.

The amendment is technical to make the definition of domestic violence consistent throughout the statutes.

SECTION 13. The change is technical, referencing the reader to the new section in Bill Section 1.

# DIVISION OF LEGAL SERVICES

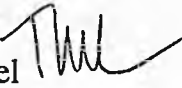
## LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

P.O. Box Y, Juneau, Alaska 99811  
(907) 465-3867 or 465-2450  
FAX (907) 465-2029

Deliveries to: 240 Main Street  
Court Plaza, Room 500  
Mail Stop 3101

### MEMORANDUM

March 14, 1991

**SUBJECT:** Domestic Violence (CSHB 44(Judiciary))  
**TO:** Representative Dave Donley  
**FROM:** Terri Lauterbach   
Legislative Counsel

Enclosed is a CS for HB 44. It includes the amendments as passed out by the committee.

As you know, we have very little discretion to change language passed out by a committee, so the CS appears as requested (except for changing "must" to "shall"). However, I wish to convey to you a couple of concerns I have about the committee's amendments.

My first concern is about the committee's deletion of "personal" rather than reinserting "or family" with reference to the counseling that may be ordered by a court. It would be possible under the committee's language for a judge to order "counseling" without specifying either personal or family counseling. If a judge orders only "counseling," arguably neither of the special provisos about personal or family counseling would apply to the counseling order. I suggest reinserting "personal or family" in the counseling sections.

My second concern is about the language added by the committee about family counseling. It is stated in sort of a backward manner, requiring a finding if an order is made, as if the finding comes second. I think the committee's intent would be better achieved if the language required that the order be allowed only if the finding is made first. I suggest something more like the following: "the court may order the defendant to participate in family counseling only upon a finding that family counseling will not cause additional domestic violence." This is the more usual approach to court findings.

Please let me know if I can be of further assistance.

TML:pl  
91-164.plm

Enclosure

FISCAL NOTE

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

BILL NO. HB 44

Revision Date: \_\_\_\_\_  
Title: An act relating to domestic violence  
Sponsor: Rep. Ulmer  
Requestor: H. HESS

Department Affected: Public Safety  
BRU: Alaska State Troopers  
Component: Detachments

COMPONENT SERIAL NO. 

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EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not Included)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-

<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
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<b>REVENUE</b>	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER/PROG RCPT						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact None

ANALYSIS: (Attach a separate page if necessary)  
No fiscal impact anticipated.

Prepared by: Gavle A. Horetski Phone: 465-4322  
Division: Commissioner's Office Date: 2/6/91  
Approved by Commissioner: *Gavle A. Horetski* Richard L. Burton  
Agency: Department of Public Safety Date: 2/6/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

*FN -0- PUBLIC SAFETY*

Revision Date: \_\_\_\_\_ Department Affected: Corrections  
 Title: "An Act relating to domestic violence." BRU: \_\_\_\_\_  
 Component: \_\_\_\_\_  
 Sponsor: Rep. Fran Ulmer  
 Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. 

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

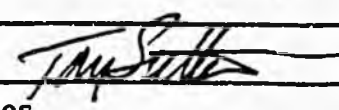
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Tom Sutton, Director  Phone: 465-3376  
 Division: Administrative Services Date: 02-05-91

Approved by Commissioner: \_\_\_\_\_ Date: 02-05-91  
 Agency: Department of Corrections

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FBI - 0 - DOC

**FISCAL NOTE**

**STATE OF ALASKA**  
**1991 LEGISLATIVE SESSION**

**Bill No. HB 44**

Revision Date: \_\_\_\_\_ Department Affected: Alaska Court System  
 Title: An Act relating to domestic violence BRU: Trial Courts  
 Components: \_\_\_\_\_  
 Sponsor: Ulmer, Parnell, B. Davis  
 Requestor: Ulmer COMPONENT SERIAL NO. 

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**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING: (Thousands of Dollars)**

GENERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0


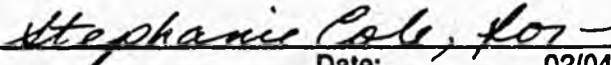
**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

**ANALYSIS: (Attach a separate page if necessary)**

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel  Phone: 264-8228  
 Division: Alaska Court System Date: 02/04/91  
 Approved by: Arthur H. Snowden, II, Administrative Director  Date: 02/04/91  
 Agency: Alaska Court System

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FBI - a - Court

PUBLIC OPINION MESSAGE

HB 44

DEAR: REPRESENTATIVE DONLEY

NAME: MR. JIM A. ARNESEN  
TITLE:  
ADDRESS: 1800 SHORE DRIVE  
CITY: ANCHORAGE ZIP: 99515  
PHONE: 344-7707  
BILL NO: HB 44  
SUBJECT: AMENDING DOMESTIC VIOLENCE LAWS  
MESSAGE: I STRONGLY OBJECT TO THE REMOVAL OF "FAMILY" ON SECTION 3 (4) AND SECTION 8 (7). THIS BILL IS NOT ACCEPTABLE WITH THOSE DELETIONS. THERE ARE INSTANCES WHERE FAMILY COUNSELING MAY BE DESIREABLE AND THESE DELETIONS MAY REMOVE THAT OPTION. /CMR

POMID: 03155537  
DATE: 91/03/08  
TIME: 15:55:37  
LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES SENATORS

M.A.MILLER	HALFORD
PARNELL	KERTTULA
ZAWACKI	
GRUENBERG	
ELLIS	
MARTIN	
M.W.MILLER	
HANLEY	