

2015 Regular Session

HOUSE RESOLUTION NO. 211

BY REPRESENTATIVE BARROW

DOMESTIC ABUSE: Authorizes the state domestic violence coalition to establish due process procedures

1 A RESOLUTION

2 To authorize and direct the state domestic violence coalition of Louisiana to adopt policies  
3 and procedures for ensuring the due process rights of members of the coalition and  
4 domestic violence services providers.

5 WHEREAS, the House of Representatives of the Louisiana Legislature has long  
6 recognized the need to protect the health, safety, and welfare of the citizens of this state; and

7 WHEREAS, the House of Representatives recognizes the need of Louisiana citizens  
8 to feel safe in their own homes and recognizes that too often Louisiana residents are abused  
9 by the people with whom they are most closely associated; and

10 WHEREAS, the House of Representatives recognizes the social need to address the  
11 issue of domestic violence that is directed primarily against women; and

12 WHEREAS, domestic violence assails an individual's right to privacy, dignity,  
13 security, and humanity, inflicts physical, emotional, and financial injury on its victims, and  
14 exists in every segment of our population; and

15 WHEREAS, federal law mandates the creation of state domestic violence coalitions  
16 which serve as statewide leaders in the efforts to end domestic violence by connecting local  
17 domestic violence service providers and are valuable resources for information about  
18 services, programs, legislation, and policies that support survivors of domestic violence; and

19 WHEREAS, one of the goals of state domestic violence coalitions is to improve  
20 domestic violence intervention and prevention in their states by ensuring cross-coordinated,  
21 best practice solutions are implemented and sustained; and

1           WHEREAS, the Louisiana Coalition Against Domestic Violence is the state domestic  
2 violence coalition of Louisiana and is a statewide coalition of shelters, nonresidential  
3 programs, and individuals who work together to deter domestic violence behavior; and

4           WHEREAS, to maintain crucial services for victims of domestic violence and their  
5 families, it is vital that the state domestic violence coalition of Louisiana does not take any  
6 action against a member of the coalition or domestic violence services provider that would  
7 adversely affect the member's or provider's ability to furnish shelter or supportive services  
8 to the victims of domestic abuse and their families in Louisiana unless all due process rights  
9 have been accorded to the member or provider.

10           THEREFORE, BE IT RESOLVED that the House of Representatives of the  
11 Legislature of Louisiana does hereby authorize and direct the Louisiana Coalition Against  
12 Domestic Violence, in its role as the state domestic violence coalition of Louisiana, to adopt  
13 all policies and procedures necessary for ensuring the due process rights of members of the  
14 coalition and domestic violence services providers.

15           BE IT FURTHER RESOLVED that the policies and procedures required by this  
16 Resolution shall prohibit the state domestic violence coalition of Louisiana from taking any  
17 action against a member of the coalition or domestic violence services provider that would  
18 adversely affect the member's or provider's ability to furnish shelter or supportive services  
19 to the victims of domestic abuse and their families in Louisiana unless both of the following  
20 conditions are satisfied:

21           (1) No less than thirty days prior to the disciplinary action being imposed, the state  
22 domestic violence coalition provides to the member or domestic violence services provider  
23 written notice containing a description of the proposed disciplinary action, the facts setting  
24 forth the basis for the proposed disciplinary action, and a statement that the member or  
25 provider has the right to request an appeal hearing before the state domestic violence  
26 coalition.

27           (2) If the member or domestic violence services provider requests an appeal hearing,  
28 the state domestic violence coalition gives the member or provider written notice of the  
29 scheduled appeal hearing and the opportunity to present arguments or evidence in support  
30 of the member's or provider's position.

1 BE IT FURTHER RESOLVED that the policies and procedures shall also require  
2 the state domestic violence coalition of Louisiana, no later than forty-eight hours after any  
3 disciplinary action is taken by the coalition against any member of the coalition or domestic  
4 violence services provider, to give written notice of the disciplinary action and the facts  
5 setting forth the basis for the disciplinary action to the Department of Children and Family  
6 Services, the House and Senate committees on health and welfare, and the representative and  
7 senator for any district for which the member or provider renders services.

8 BE IT FURTHER RESOLVED that this written notification and any other disclosure  
9 provided pursuant to this Resolution shall not contain any privileged communications or  
10 records and shall be communicated in strict compliance with the provisions of R.S.  
11 46:2124.1.

12 BE IT FURTHER RESOLVED that the policies and procedures required by this  
13 Resolution shall be adopted by the state domestic violence coalition of Louisiana no later  
14 than October 1, 2015.

15 BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted  
16 to the executive director of the Louisiana Coalition Against Domestic Violence.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HR 211 Original

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Barrow

Authorizes and directs the state domestic violence coalition of La. to adopt policies and procedures for ensuring the due process rights of members of the coalition and domestic violence services providers no later than Oct. 1, 2015.