	Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.
	Act 1414 of the Regular Session
1	State of Arkansas As Engrossed: H3/16/07
2	86th General Assembly A Bill
3	Regular Session, 2007HOUSE BILL2559
4	
5	By: Representative Chesterfield
6	
7	For An Act To Be Entitled
8	
9	AN ACT TO CREATE THE SPOUSAL ABUSE SAFETY PLAN
10	ACT FOR EDUCATION AND TRAINING ON THE PREVENTION
11	OF AND INTERVENTION IN SPOUSAL ABUSE; AND FOR
12	OTHER PURPOSES.
13	
14	Subtitle
15	TO CREATE THE SPOUSAL ABUSE SAFETY PLAN
16	ACT FOR EDUCATION AND TRAINING ON THE
17	PREVENTION OF AND INTERVENTION IN
18	SPOUSAL ABUSE.
19	
20	
21	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22	
23	SECTION 1. Arkansas Code Title 9, Chapter 15 is amended to add an
24	additional subchapter to read as follows:
25	<u>9-15-401. Title.</u>
26	This subchapter shall be known and may be cited as the "Spousal Abuse
27	<u>Safety Plan Act".</u>
28	
29	<u>9-15-402. Findings – Purpose.</u>
30	(a) The General Assembly finds that:
31	(1) There are many resources to support victims of domestic
32	abuse after the abuse has occurred. However, the issues of how to prevent
33	spousal abuse and the possible solution of creating a safety plan for the
34	spouse and the children in the household have received very little attention;
35	(2) Exposure to domestic abuse and spousal abuse has a



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1	devastating impact on both the children and adults in households and
2	communities, regardless of whether they are direct victims of abuse or
3	witnesses to it; and
4	(3) Children exposed to such violence at an early age are likely
5	to become either perpetrators of abuse or victims of violence in adulthood,
6	which is a cycle that can only be stopped through intervention and education.
7	(b) The purpose of this subchapter is to reduce the occurrence of
8	spousal abuse and to reduce the exposure of children to spousal abuse by
9	creating a safety plan for the spouse that is a victim of the spousal abuse
10	and for the children in the household.
11	
12	9-15-403. Definitions.
13	As used in this subchapter:
14	(1) "Emotional abuse" means any of the following acts:
15	(A) Verbally attacking or threatening a spouse by yelling,
16	screaming, or name-calling;
17	(B) Using criticism, social isolation, intimidation, or
18	exploitation to dominate a spouse;
19	(C) Criminally harassing a spouse;
20	(D) Stalking a spouse;
21	(E) Threatening a spouse or his or her loved ones;
22	(F) Damaging a spouse's possessions; or
23	(G) Harming the pet of a spouse;
24	(2)(A) "Physical abuse" means any of the following acts:
25	(i) Using physical force in a way that injures a
26	spouse or puts him or her at risk of being injured;
27	(ii) Beating, hitting, shaking, pushing, choking,
28	biting, burning, kicking, or assaulting a spouse with a weapon.
29	(B) "Physical abuse" may consist of one (1) or more than
30	one (1) incident described under subdivision (2)(A) of this section;
31	(3)(A) "Sexual abuse" means any of the following acts:
32	(i) Forcing a spouse to participate in unwanted,
33	unsafe, or degrading sexual activity; or
34	(ii) Using ridicule or other tactics to try to
35	denigrate, control, or limit a spouse's sexuality or reproductive choices.
36	(B) "Sexual abuse" includes rape, sexual assault, or

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1	sexual harassment;
2	(4)(A) "Spousal abuse" means an act of violence or mistreatment
3	that a woman or a man may experience at the hands of his or her marital
4	partner, regardless of the timing of the act in terms of the stage of the
5	relationship.
6	(B) "Spousal abuse" includes any of the following
7	committed by a spouse against his or her spouse:
8	(i) Emotional abuse;
9	(ii) Physical abuse; or
10	(iii) Sexual abuse.
11	
12	9-15-404. Safety plans and education.
13	The purpose of the Spousal Abuse Safety Plan Act is to:
14	(1) Develop increased and improved security measures that
15	provide greater protection for victims of spousal abuse, especially those who
16	have orders of protection;
17	(2) Help victims create a safety plan to keep them and their
18	children as safe as possible by developing publications as described under §
19	9-15-405 on what to do and where to go if danger occurs;
20	(3) Make safety plan publications as described under § 9-15-405
21	available in public health centers and for distribution to victims by police
22	officers when responding to spousal abuse calls;
23	(3) Create special training initiatives regarding the dynamics
24	of spousal abuse for police intake officers, health officials, and social
25	workers in order to help ensure a continuously improving response to spousal
26	abuse;
27	(4) Encourage the development of community-based, civic-based,
28	and faith-based healthy relationship courses to teach to both adolescent boys
29	and adolescent girls as they begin to date:
30	(A) The elements of healthy relationships;
31	(B) Acceptable and unacceptable behavior in relationships;
32	(C) The concept of respect;
33	(D) Conflict resolution techniques;
34	(E) Anti-violence; and
35	(F) The prevention of sexual assault and sexual
36	harassment;

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1	(5) Help raise awareness about the devastating impact that
2	spousal abuse has on children and families; and
3	(6) Assist with the development of increased protection of
4	victims of spousal abuse by establishing standards for protection and
5	response by convening a committee of relevant experts in the field of health
6	care and law enforcement to recommend standards to the General Assembly.
7	
8	9-15-405. Educational and training materials.
9	(a) The Arkansas Child Abuse/Rape/Domestic Violence Commission, in
10	consultation with experts on spousal abuse prevention and intervention, shall
11	develop educational material and training material to address the issues
12	under this subchapter.
13	(b) The educational material and training material shall be published
14	and distributed around the state.
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16	<u>9-15-406. Rules.</u>
17	The Arkansas Child Abuse/Rape/Domestic Violence Commission shall
18	promulgate rules to implement and administer this subchapter.
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20	<u>9-15-407. Reporting.</u>
21	The Arkansas Child Abuse/Rape/Domestic Violence Commission shall report
22	annually to the House Committee on Aging, Children and Youth, Legislative and
23	Military Affairs and the Senate Committee on Children and Youth regarding:
24	(1) The status of the implementation and administration of this
25	subchapter and its purposes; and
26	(2) Any recommended changes in the law to improve the prevention
27	of or intervention into spousal abuse situations.
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29	/s/ Chesterfield
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31	APPROVED: 4/5/2007
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