



Senate of Pennsylvania

Senator LeAnna M. Washington
4th Senatorial District

MEMORANDUM

Date: January 21, 2011
To: All Senators
From: Senator LeAnna M. Washington *Lmw*
Subject: Co-sponsorship request – **Package of Domestic Violence Legislation**

I will be introducing a comprehensive package of legislation designed to help deter domestic violence, while bolstering and protecting the rights of domestic violence victims. I invite you to join me as a cosponsor of five proposed pieces of legislation that would help protect domestic violence victims throughout the Commonwealth of Pennsylvania.

1. Limited Self-Defense Justification - This creates a limited self-defense justification for domestic violence victims who use force to protect themselves.

This measure would make some evidence regarding domestic violence restraining orders admissible and relevant in determining whether such force was justifiable. Under the bill, evidence that could be considered includes the existence of temporary or permanent restraining orders, the circumstances leading to those orders and conduct constituting violations of the orders. Any previous acts of domestic violence also could be considered.

2. Bail Restrictions - This would bar those charged with violating domestic violence-related restraining orders from having the option to post 10 percent of their bail to gain their release.

This is aimed at deterring future acts of domestic violence by imposing certain bail restrictions for anyone charged with contempt of a domestic violence restraining order. The bill would bar anyone charged with violating a domestic violence-related restraining order from posting the customary 10 percent bail option.

3. Lease Protections – This bill will extend protections for domestic abuse victims who have had to break leases. It would also prevent a landlord from refusing to lease to or breaking a lease of a tenant who has had to terminate a previous rental agreement based on their or a household member's status as a victim of domestic violence, sexual assault or stalking.

By allowing victims of abuse to break a leasing agreement and start anew without being penalized by future landlords, we are encouraging victims to take a stand and every precaution to protect themselves.

4. Prevent Unfair Evictions – This measure will prohibit unfair evictions - allowing a victim to stay in their home if issued an eviction notice based primarily on the acts of domestic violence, sexual assault, or stalking.

Domestic violence is a leading cause of homelessness for women and children, and housing discrimination only increases the numbers. Although domestic violence does not discriminate according to gender, class, race or creed, it is more pervasive among women with low-incomes and those who rent, so these evictions are inherently, and unfairly, targeted toward less economically-empowered groups.

However, survivors gained federal support through the Violence Against Women Act (VAWA), which protects survivors from many things, including housing discrimination. Landlords cannot evict them or preclude them from housing based on their current or history of abuse. Yet, because VAWA is federal legislation, jurisdiction only includes federal housing programs. Protection for those seeking or living in private rentals is nearly non-existent.

5. Seizure of Deadly Weapons - This legislation will protect victims of domestic violence, their families and our communities from potential gun-related danger. The bill will allow law enforcement officers to obtain a warrant to seize firearms or deadly weapons that remain inside a house after a domestic violence or mental health incident.

To indicate your interest in co-sponsoring this important legislation, please contact Cindie Watkins in my office by calling 7-1427 or emailing cwatkins@pasenate.com.