

(H. B. 754)

(No. 25-2020)

(Approved March 7, 2020)

AN ACT

To amend Section 2.7 of Act No. 54 of August 15, 1989, as amended, known as the “Domestic Violence Prevention and Intervention Act,” in order to require the Clerk of Court to deliver copies of restraining orders to family members and/or natural or juridical persons, whom the victim, upon previous orientation, freely and voluntarily determines should be notified; and for other related purposes.

STATEMENT OF MOTIVES

The Domestic Violence Prevention and Intervention Act is a tool used in Puerto Rico’s Judicial System to fight domestic violence. This social ill does not discriminate between men or women, even though cases against women are the most reported. Act No. 54, *supra*, defines it as a constant pattern of conduct involving physical force or psychological abuse, intimidation or persecution against a person by his or her spouse, former spouse, a person with whom he or she cohabits or has cohabited, with whom he or she has or has had a consensual relationship, or a person with whom he or she shares a child in common to physically harm them, their property, or another person to cause him or her serious emotional harm. It has been shown that this social ill requires much attention from the Legislature and the fight of said conduct, which is classified as an offense, is the public policy of the Government of Puerto Rico. Over the years, the Act has been amended to adjust it to the needs and situations that have arisen. In some unfortunate incidents, the victims remain silent for different reasons, including fearing that violence worsens, and do not tell their close relatives. This poses an imminent threat to the victim and

his or her close relatives, because the abuser may harm others in order to cause serious emotional harm to the victim. Notifying close relatives provides victims with emotional support from their families and help them to take measures to stay safe.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Section 2.7 of Act No. 54 of August 15, 1989, as amended, is hereby amended to read as follows:

“Section 2.7.- Notice to the Parties and Law Enforcement Agencies and Agencies Concerned with the Wellbeing of Minors.

(a) ...

...

(i) The Clerk of Court shall deliver copies of the restraining orders issued pursuant to this Act, to family members and/or natural or juridical persons, whom the victim, upon previous orientation, freely and voluntarily determines should be notified. These family members and/or natural or judicial persons shall be notified by regular mail, electronic mail, or otherwise, at the address provided by the victim.”

Section 2.- The Office of Court Administration is hereby directed to adjust the applicable regulations. The Office of Court Administration shall also adjust the applicable forms in order to include an option for the petitioner, upon being duly-informed, to freely and voluntarily state the names of the family members and/or persons to be notified of the issued restraining order, as well as their addresses.

Section 3.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 25-2020 (H. B. 754)** of the **7th Regular Session** of the **18th Legislative Assembly of Puerto Rico**:

AN ACT to amend Section 2.7 of Act No. 54 of August 15, 1989, as amended, known as the “Domestic Violence Prevention and Intervention Act,” in order to require the Clerk of Court to deliver copies of restraining orders to family members and/or natural or juridical persons, whom the victim, upon previous orientation, freely and voluntarily determines should be notified; and for other related purposes.

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, on this 24th day of November, 2020.

Orlando Pagán-Ramírez
Director