

(H. B. 2576)

**(No. 96)**

(Approved April 23, 2004)

**AN ACT**

To amend Sections 3.11, 4.1, 4.2, and 4.3 of Act No. 54 of August 15, 1989, as amended, better known as “Domestic Abuse Prevention and Intervention Act,” to redesignate the Women’s Affairs Committee as the Women’s Advocate Office.

**STATEMENT OF MOTIVES**

Act No. 20 of April 11, 2001, created the Women’s Advocate Office in order to attend to the rights of women more efficiently and effectively in our society. This Office was created to have a body with sufficient autonomy and full supervisory, investigative, regulatory, and adjudicative powers to guarantee respect for the rights of women and compliance of the existing policies. Said Office replaced the Women’s Affairs Commission.

**BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:**

Section 1.- Section 3.11 of Act No. 54 of August 15, 1989, as amended, is hereby amended to read as follows:

“Section 3.11.- Preparation of Reports

Whenever a law enforcement officer intervenes in an incident of domestic abuse, a written report on the same shall be prepared. Said report shall contain the allegations of the persons involved and of the witnesses, the type of investigation conducted and how the incident was resolved.

The law enforcement officer shall include any statement of the victim in said report, with regard to the frequency and severity of previous incidents of domestic abuse and on the number of times the person has resorted to the Police or any private or public entity or specific person to seek help.

This report shall be prepared for every intervention even though no criminal charges are filed against the alleged aggressor. These reports shall be kept separate from reports or incidents of other nature.

The Police Superintendent shall establish a system to compile information that allows that a copy to be kept of each intervention report in the police station where it was originated and that will expedite the centralized compiling thereof in the Statistics Division of the Puerto Rico Police.

The Statistics Division of the Puerto Rico Police shall receive a copy of every intervention report prepared pursuant to this Section, each month shall compile the information contained therein and shall prepare an annual public statistical report on the incidents of domestic abuse in Puerto Rico. A copy of this report shall be remitted to the Women's Advocate Office.

The Police Superintendent shall establish rules to guarantee confidentiality regarding the identity of the persons involved in incidents of domestic abuse.”

Section 2.- Section 4.1 of Act No. 54 of August 15, 1989, as amended, is hereby amended to read as follows:

“Section 4.1 Preventive measures.-

The Women's Advocate Office, created by Act No. 20 of April 11, 2001, and in harmony with the public policy enunciated in this Act, shall be responsible for:

(a) ...

(j) Evaluate progress in the implementation of this Act and submit annual reports to the Governor of the Commonwealth of Puerto Rico and the Legislature.

(l) ...”

Section 3.- Section 4.2 of Act No. 54 of August 15, 1989, as amended, is hereby amended to read as follows:

“Section 4.2.- Confidentiality of Communications.-

The Women’s Advocate Office shall take the steps to guarantee the confidentiality of the communications and the information it receives from its clients during the course of rendering services to prevent and intervene with victims of domestic abuse. Every communication between the persons assisted in the Women’s Advocate Office and its personnel, shall be privileged and shall be protected by the privilege of confidentiality established in the Puerto Rico Rules of Evidence.”

Section 4.- Section 4.3 of Act No. 54 of August 15, 1989, as amended, is hereby amended to read as follows:

“Section 4.3.- Collaboration of Government Agencies.-

The Departments, offices, bureaus, commissions, boards, administrations, councils, public corporations and their subsidiaries, and other agencies of the Commonwealth of Puerto Rico are hereby authorized to provide to the Women’s Advocate Office, the services and the financial resources, personnel, material, equipment, and facilities it requests to perform and comply with the duties and functions assigned thereto by this Act. Such authority shall be exercised subject to the legal provisions that govern said public agencies and to the approval of the chief executive thereof.”

Section 5.- This Act shall take effect immediately after its approval.



**CERTIFICATION**

I hereby certify to the Secretary of State that the following Act No. 96 (H.B. 2576) of the 7<sup>th</sup> Session of the 14<sup>th</sup> Legislature of Puerto Rico:

**AN ACT** to amend Sections 3.11, 4.1, 4.2, and 4.3 of Act No. 54 of August 15, 1989, as amended, better known as “Domestic Abuse Prevention and Intervention Act,” to redesignate the Women’s Affairs Committee as the Women’s Advocate Office,

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

In San Juan, Puerto Rico, today 3<sup>rd</sup> of August of 2005.

Francisco J. Domenech  
Director