

(S. B. 810)

(No. 490)

(Approved September 29, 2004)

AN ACT

To amend the fifth paragraph of Section 3.11 of Act No. 54 of August 15, 1989, as amended, known as the “Domestic Abuse Prevention and Intervention Act,” in order to establish that the annual statistical report prepared by the Puerto Rico Police on incidences of domestic violence in Puerto Rico shall be remitted to the Legislature of the Commonwealth of Puerto Rico. To further establish that the Courts Administration shall provide information on the restraining orders requested and issued by said Institution.

STATEMENT OF MOTIVES

The Legislature of the Commonwealth of Puerto Rico approved Act No. 54, known as the “Domestic Abuse Prevention and Intervention Act” on August 15, 1989. The following break down comprising the years from 1997 to 1999, is worth mentioning: 21,217 in 1997, 21,084 in 1998, and 20,201 in 1999. This data shows the worrisome situation of domestic violence in our Puerto Rican society in the last years.

It is the duty of the Legislature of the Commonwealth of Puerto Rico to find solutions to the problems suffered by the Puerto Rican society through the mechanism of legislative creation. Therefore, it is imperative for the Legislature to have all the necessary information on the various problems faced by our Puerto Rico in order to be in an adequate position to exercise its legislative functions responsibly.

It is indispensable for these statistics to be received by the Legislature, as well as by the Women's Affairs Commission (now the Office of the Women's Advocate upon the approval of Act No. 20 of 2001), without the need for requests from any of the offices and/or Committees of this Body for the distribution of said information to be uniform and to avoid duplication of efforts by the Police Department by having to supply said information each time it is requested by an office and/or Committee of this Legislature. As seen in the first paragraph of this Statement of Motives, the information that the Police can provide shall very useful for legislative work. The report prepared by the Puerto Rico Police, in addition to including the reported domestic violence cases, also includes another series of information that broadens the vision on this problem, such as statistics on the requests for restraining orders. The information furnished in the referred to report should be available through the Legislature, as well as its offices, Committees and/or dependencies, without being subject to the requests made, the promptness with which these requests are answered; as well as the expected time it takes for said report to be received.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- To amend the fifth paragraph of Section 3.11 of Act No. 54 of August 15, 1989, as amended, known as the "Domestic Abuse Prevention and Intervention Act," to read as follows:

Section 3.11.- Preparation of reports

...

...

...

...

The Statistics Division of the Puerto Rico Police shall receive a monthly copy of every intervention report prepared pursuant to this Section, 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 Office of the Women's Advocate, as well as to the Legislature, which shall distribute it to all the offices of the different Committees.

The Courts Administration shall provide information on the restraining orders requested and issued, to the Statistics Division of the Police as well as useful information, so that it the report may contain, among others, the following information:

- population group mostly affected by domestic abuse;
- ages of said groups, divided by number of incidences;
- number of persons who requested restraining order;
- number of persons who withdrew said request for restraining orders;
- number of persons who obtained restraining orders;
- number of persons who did not obtain restraining orders;
- number of situation in which dual or reciprocal restraining orders were issued;
- number of situations in which there are minors, and child support orders were issued.

...”

Section 2.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 490 (S.B. 810) of the 7th Session of the 14th Legislature of Puerto Rico:

AN ACT to amend the fifth paragraph of Section 3.11 of Act No. 54 of August 15, 1989, as amended, known as the “Domestic Abuse Prevention and Intervention Act,” in order to establish that the annual statistical report prepared by the Puerto Rico Police on incidences of domestic violence in Puerto Rico shall be remitted to the Legislature of the Commonwealth of Puerto Rico. To further establish that the Courts Administration shall provide information on the restraining orders requested and issued by said Institution,

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

In San Juan, Puerto Rico, today 15th of January of 2007.

Francisco J. Domenech
Director