*Use organization letterhead*

March 11, 2014

Honorable Bill Quirk

California State Assembly

State Capitol, Room 2175

Sacramento, CA 94249-0020

Sent via email: [Tomasa.Duenas@asm.ca.gov](mailto:Tomasa.Duenas@asm.ca.gov)

**Re: Assembly Bill 2089 (Quirk) – Support**

Dear Assemblymember Quirk:

On behalf of (*insert organization name here)*, I write today to thank you for authoring Assembly Bill 2089, which will update and strengthen California’s current Domestic Violence Prevention Act (DVPA), the Family Code restraining order statutes.

*(Insert information about your organization.)*

The Domestic Violence Prevention Act (DVPA) governs the issuance and enforcement of domestic violence restraining orders in California, including emergency protective orders (EPOs), temporary restraining orders (TROs) and permanent restraining orders (PROs). Although the DVPA is among the most comprehensive restraining order laws in the nation, ambiguities in the DVPA have led to inconsistent interpretations among courts about how and when a domestic violence restraining order should be issued.

Domestic violence impacts millions of Californians; according to the California Women’s Health Survey (CWHS), approximately 40% of California women experience physical intimate partner violence in their lifetimes. California law enforcement agencies received 157,634 domestic violence-related calls in 2012, and in 2011 (the last year with available data) there were 147 domestic violence fatalities. Restraining orders are an essential component of the response to domestic violence, and efforts to keep survivors and their families safe.

AB 2089 will strengthen and update our restraining order statutes to reflect the current understanding and application of restraining orders. Specifically, the bill will prohibit denial of a DVPA restraining order solely because of the length of time that has passed between the last act of abuse and the filing of the DVPA petition; require a judge, when asked by either party, to state reasons for denying a DVPA restraining order on the court record; clarify burden of proof required for obtaining a DVPA restraining order; clarify that a victim does not need to prove a threat of future harm by the abuser in order to obtain a DVPA restraining order; require that the court must allow a party to present live testimony; and clarify that if a permanent restraining order issued under the DVPA does not specify an expiration date, then it will be valid for the maximum number of years allowed.

AB 2089 will make needed updates and clarify these critical restraining order laws, helping to keep more Californians safe. For these reasons, (*insert organization name here)* is pleased to support AB 2089.

Sincerely,

*Signature*

*Title*

Cc: California Partnership to End Domestic Violence, [Krista@cpedv.org](mailto:Krista@cpedv.org)