

Exhibit Number: 7

This exhibit is a petition, which contains several pages of Montanans' addresses and signatures. The petition exceeds the maximum number of pages for scanning. Four pages have been scanned for your research. The original exhibit is on file at the Montana Historical Society and may be viewed there.



OFFICE OF THE CITY ATTORNEY

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EXHIBIT 17
DATE 3/23/05
SB 452

March 23, 2005

Chairwoman Rice and Honorable Members of the House Judiciary Committee:

My name is Judy Wang. I prosecute domestic violence cases on behalf of the people of the state of Montana. I am also a member of the Montana State Fatality Review Commission. The goal of the commission is to make recommendations for systems change to prevent further domestic violence homicides.

The commission has reviewed several domestic violence homicides involving spouses, children and suicides. Despite the legislative changes that have already been made, the reviews have shown us that domestic violence offenders still have easy access to their victims even after they are arrested for partner or family member assault.

In domestic violence cases the problem is power and control used by one partner over another. Violence is but one tool in the power and control toolbox. If an offender is in jail, the violence problem has been stopped, at least momentarily. The power and control continue when we haven't stopped an offender from calling his or her victim from jail.

Offenders frequently call their victim from jail after a partner assault arrest. The calls usually involve profanity including words that rhyme with "duck", threats, complaints about jail and or promises of a perfect life. All the calls are designed to control the victim. All the calls encourage the victim to welcome the offender home. All the calls leave the victim less safe and less likely to participate in an effective way with the prosecution of the offender.



MISSOULA

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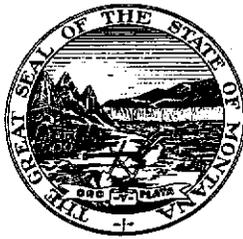
Senate Bill 452 gives domestic violence victims a zone of peace. When an offender is arrested for a partner or family member assault, the court with jurisdiction over the offense has the authority to issue a standard order that prohibits contact with the victim. Armed with the court order, law enforcement can give an offender notice that they cannot contact the victim. The notice must be given verbally and in writing. The notice will be reviewed by the court when the offender first appears. The time of arrest order cannot extend for more than 36 hours. The offender's arrest must be based on probable cause that the offender committed the offense of partner assault supported by a peace officer's affidavit.

If the offender violates the no contact order, that violation is a misdemeanor offense. If the offender does not violate the no contact order we have given the victim a day or two of peace. Senate Bill 452 takes the tools of power and control away from the offender at the time of arrest for partner or family member assault and makes victims safer.

Senate Bill 452 also criminalizes offenders contact with the victim after the offender first appears and through sentencing. This bill clearly gives the court the authority to order the offender to stay away and gives law enforcement the authority to impose consequences on an offender who violates the court order.

Please vote for Senate Bill 452.

Judy Wang
Assistant City Attorney



**STATE OF MONTANA ELEVENTH JUDICIAL DISTRICT
FLATHEAD COUNTY**

**FLATHEAD COUNTY JUSTICE CENTER
920 SOUTH MAIN, KALISPELL, MONTANA 59901**

District Court Judges

**Ted O. Lympus
(406) 758-5906**

**Katherine R. Curtis
(406) 758-5906**

**Stewart E. Stadler
(406) 758-5906**

**Bonnie J. Olson
Court Administrator
(406) 758-5665**

March 15, 2005

To: Chairwoman Rice and Honorable Members of the House Judiciary Committee

Re: Senate Bill, No. 452

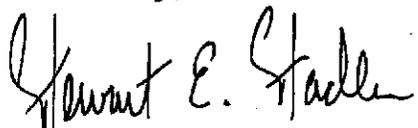
This letter is written to urge you to favorably consider Senate Bill, No. 452.

As Flathead County Justice of the Peace from 1985 through 1999 and as a District Judge from 2000, I have been involved in literally hundreds of domestic violence cases. I also have been privileged to be a member of the State domestic violence fatality review team for the past two years, a group committed to the review of domestic violence homicides for the purpose of recommending beneficial changes. Senate Bill, No. 452 is one of this group's recommendations.

I am generally reluctant to either recommend or oppose legislation which might have an effect on the court, however, Senate Bill, No. 452, is exception and I support it without reservation. It not only will increase victim safety in domestic violence situations, but, I am convinced that this bill, if enacted, could possibly prevent a homicide and save a life.

Please favorably consider this legislation and if additional information or personal testimony is necessary, I would make myself available to the Committee. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Stewart E. Stadler". The signature is written in dark ink and is positioned below the word "Sincerely,".

Stewart E. Stadler
District Judge