



News From
The California Women's Law Center

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Contact: Contessa Kellogg Mankiewicz
323-951-9869
310-270-6627

**Governor Signs Legislation Sponsored by CWLC to Strengthen Confidentiality
Protections for Victims of Domestic Violence**

(Los Angeles, CA)-- The California Women's Law Center announced today that Senate Bill 407, an amendment to clarify and update the Domestic Violence Counselor-Victim Privilege, has been signed into law. S.B. 407 was co-sponsored by the California Partnership to End Domestic Violence and was carried by California Senate Majority Leader Gloria Romero.

"The bill passed today rectifies a potentially life-threatening oversight which formally allowed a person accused of battering a victim to act as the 'holder of privilege' on behalf of that victim," said Katie Buckland, Executive Director of the California Women's Law Center. "S.B. 407 also ensures that victims of domestic violence and their children will have a secure and safe environment to disclose sensitive information to qualified domestic violence counselors by clearing up any confusion surrounding the precise type of information and professionals subject to the privilege."

California was among the first states to protect the confidentiality of communications made between a domestic violence victim and her/his domestic violence counselor when it passed the Domestic Violence Counselor-Victim Privilege law in 1986. Since then, the law has played a critically important role in protecting the lives and safety of domestic violence victims and their children by allowing them to access shelter and support services without fear that their personal information will be disclosed to the public or worse, their abuser. Since its enactment, however, California's privilege law has never been significantly amended to reflect the growing and changing field of advocates who counsel and assist domestic violence victims. Consequently, the law caused confusion among advocates regarding who was subject to the privilege and the type of information protected under the law.

S.B. 407 strengthens California's privilege law by clearly defining the type of organization for which a domestic violence counselor must work to be subject to the privilege. The recently passed legislation mandates that a domestic violence counselor be an employee or volunteer of a nongovernmental "domestic violence victim service organization." It also requires that a person complete the 40-hour domestic violence training, as described under existing law, in order to qualify as a domestic violence

counselor. Guardians or conservators are prohibited from acting as the “holder of privilege” on behalf of a domestic violence victim if that person has been accused of perpetrating domestic violence against the victim. Furthermore, S.B. 407 also requires that training on the privilege be included as part of the mandated 40-hour training for domestic violence counselors.

About the California Women’s Law Center

Since its founding in 1989, the California Women's Law Center has worked in collaboration with others to protect, secure and advance the comprehensive civil rights of women and girls. CWLC has unparalleled expertise in strategies to empower individuals to use the law to address the societal and legal issues that perpetuate ongoing gender inequity, women’s health issues, reproductive justice and violence against women.

Learn more about S.B. 407 and the California Women’s Law Center at www.cwlc.org