

(H. B. 222)

(No. 30)

(Approved July 27, 2005)

AN ACT

To amend Section 4.2 of Act No. 54 of August 15, 1989, as amended, known as the “Domestic Abuse Prevention and Intervention Act,” in order to extend the confidentiality privilege to the agencies that render services to victims of domestic violence in harmony with Rule 26-A of the Rules of Evidence and the Bill of Rights of Victims and Witnesses of Crime.

STATEMENT OF MOTIVES

The present legislation has the main purpose to reaffirm and specify the intention that every public entity or body that receives public funds and renders services to domestic abuse victims, shall guarantee the privilege of confidentiality in all communications between victims and the personnel of the concerned agency or body.

With this in mind, it is pertinent to amend the “Puerto Rico Domestic Abuse Act” in order to temper it to the provisions of the Bill of Rights of Victims and Witnesses of Crime and the Rules of Evidence. In this manner, the confidentiality of all the procedures related to the rendering of services to the victims of domestic violence, essential principle for them to receive adequate treatment and to solve crimes involving violations of the Domestic Abuse Act, shall be promoted.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Section 4.2 of Act No. 54 of August 15, 1989, as amended, known as the “Domestic Abuse Prevention and Intervention Act,” is hereby amended, to read as follows:

“Section 4.2.-

The Women’s Advocate Office shall take steps to guarantee the confidentiality of the communications and information it receives from its clients during the course of rendering services to prevent domestic violence and intervene with its victims. All communications between the persons attended to in the Women’s Advocate Office and its personnel shall be privileged and shall be protected by the confidentiality privilege established in the Rules of Evidence of Puerto Rico. Likewise, all communications between a victim of domestic violence and any other public entity or body, which renders services to victims of domestic abuse, shall enjoy the same privilege and confidentiality, in harmony with Rule 26-A of the Rules of Evidence of Puerto Rico and the Bill of Rights of Victims and Witnesses of Crime.”

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. 30 (H.B. 222) of the 1st Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 4.2 of Act No. 54 of August 15, 1989, as amended, known as the “Domestic Abuse Prevention and Intervention Act,” in order to extend the confidentiality privilege to the agencies that render services to victims of domestic violence in harmony with Rule 26-A of the Rules of Evidence and the Bill of Rights of Victims and Witnesses of Crime,

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

In San Juan, Puerto Rico, today 17th of January of 2006.

Francisco J. Domenech
Director