



SB 616 (Rubio) Piqui's Law

Bill Summary

SB 616 will align California with federal provisions within the Violence Against Women Act (VAWA) by prioritizing child safety in our family court system, and start California on the pathway to receive new critical federal funding to further protect victims of child abuse and domestic violence

Current Law

Existing state law governs the determination of child custody and visitation in contested proceedings. Existing law also requires the court, for purposes of deciding custody, to determine the best interests of the child based on certain factors, including the nature and amount of contact with both parents, and consistent with specified findings, including that the court's primary concern must be to ensure the health, safety, and welfare of the child.

Background

In March 2022, President Biden signed the reauthorization of the VAWA, which included groundbreaking new provisions to improve child safety laws in family courts, otherwise known as "Kayden's Law." Under this federal legislation, states may receive federal funding if they adopt child custody and domestic violence statutes to further prioritize child safety. Grants will become available beginning the federal fiscal year of 2023, and states will be able to draw down a minimum of \$5 million, per year, until 2027.

This bill, known as "Piqui's Law," is named after a 5-year-old boy who was killed by his father in April 2017. Piqui's mother, Ana Estevez, fought hard in family court to protect her child from her abusive ex-husband and father of Piqui. Despite her efforts, the court refused to stop visitation, leading to her son's tragic murder.

There is a child homicide crisis in our country. Children are being murdered by an abusive parent, across the nation at a tragic rate. According to researchers with the Center for Judicial Excellence, since 2008, there have been 850 cases reported of children being murdered by a divorcing or separating parent in the US. Empirical research shows that in custody cases that involve domestic violence, children are at almost double the risk for child abuse.

Details of the Bill

SB 616 protects survivors and children by ensuring judges receive comprehensive training on domestic violence, and bans dangerous reunification programs, which will help put a stop to these horrific child homicides.

Specifically, this bill amends Family Code Section 3020 and 3026, and Government Code 68553 and 68555 to:

- *Require 25 hours of judicial training on domestic violence and child abuse, including 20 hours of ongoing training every 3 years.*
- *Require these trainings to adopt a framework that improves the ability for courts to recognize and respond to child physical abuse, child sexual abuse, trauma, and domestic violence including coercive control.*
- *Further define and clarify California's ban on the use of dangerous and unproven reunification programs in family court, which are designed to force children into recanting claims of abuse under duress.*

Support

Center for Judicial Excellence (Sponsor)
Advocates for Child Empowerment and Safety
Angelina Jolie, Actress & Humanitarian
California Children's Law Center
California Protective Parents Association
California Women's Law Center
Crime Survivors Resource Center
Family Court Awareness Month
Family Violence Appellate Project
Incest Survivor's Speakers Bureau of California
Just-a-Word Ministries
Los Angeles County Board of Supervisors
Legislative Coalition to Prevent Child Abuse
Los Angeles Chapter of Parents of Murdered Children
National Family Violence Law Center
One Mom's Battle
18 Individual Californians

For More Information

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