

LPRAC Testimony

To: Members of the Judiciary Committee
From: Werner Oyanadel, LPRAC Principal Legislative Analyst
Re: Public Hearing ~ In support of Committee Bill No. 6245
Date: Thursday, March 26th, 2009 ~ 10:00 A.M.

The LPRAC is fully supportive of committee bill number 6245, “An act concerning the recommendations of the Task Force on domestic violence in immigrant communities.” As you probably know from the final report of the Task Force, released on January of 2009, the Latino and Puerto Rican Affairs Commission (LPRAC) was selected by the past Speaker of the House of Representatives of the Connecticut General Assembly, the Honorable James Amann (D-118) to be a member of this panel to examine domestic violence in immigrant communities. The LPRAC, through this panel, was able to review a broad range of issues from state experts in the field and discovered the many challenges faced by survivors of domestic violence that are in need of change.

The Task Force co-chaired by State Representatives Fox (D-146) and Reynolds (D-42) found that the impact of fear and isolation experienced by survivors of domestic violence are augmented in immigrant communities due in large part to language, cultural barriers, immigration fears, and misunderstanding of the legal system – a phenomenon that obstructs victims from accessing the relief required to stop the intimidation by their abusers. This problem may be significant in Connecticut based from studies conducted by several researchers in the field that show that immigrants often suffer higher rates of abuse than U.S. citizens. According to the U.S. Census Bureau’s American Community Survey, there are about 450,000 immigrants residing in the State of Connecticut, half of which are non-citizens. The LPRAC is extremely interested in this topic because Latin Americans are the most recent and fastest growing immigrant population in the State, are the least educated, have limited health care access, are less likely to be English proficient and are most heavily concentrated in low-skilled industries.

The Task Force also found that domestic violence cases currently consume twenty- five percent of all cases in Connecticut, which in turn increases significantly the rates of conviction. Furthermore, dual arrests in the State have unintended consequences on the non-citizen victim including jeopardizing their ability to qualify for U-Visa protection¹. Finally, it was disturbing for the panelists to learn that more than thirty percent of calls to the domestic violence crisis hotline are from immigrants with language barriers and that the majority of the calls are on the weekends², specially when you consider that Connecticut is one of only five states that does not provide 24/7 staffing of domestic violence shelters.

The Task Force recommended, among other things, an increase in funding for certified language interpreters, 24-hour domestic violence shelter staffing, and the expansion of time limits for vacating guilty pleas (Current time restrictions may negatively impact a person who pleads guilty, but later discovers unintended immigration consequences for doing so.) Moreover, the Task Force supports a collaborative effort on behalf of various stakeholders in the immigrant community to increase awareness of available services and protection for victims of domestic violence. Finally, it recommended enhanced training for judicial personnel and law enforcement on the impact of dual arrests on immigrant victims of domestic violence.

¹ U-Visas are distributed to victims of certain crimes; T-Visas are distributed for victims of trafficking.

² According to the Office of Legislative Research, Connecticut’s 18 domestic violence programs served 54,641 victims of domestic violence, including shelter for 2,031 victims. All domestic violence programs have on site staff from 9:00 am to 5:00 pm, Monday through Friday only.
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The LPRAC, as a result of these findings, respectfully recommends that the Judiciary Committee move this bill forward to the Appropriations Committee for further analysis.

The LPRAC was created by the legislature of the State of Connecticut through Public Act Number 94-152, taking effect February 1, 1995. LPRAC is part of the legislative branch and governed by section 2-120 of the Connecticut General Statutes. The LPRAC is mandated to review and comment on any proposed state legislation that would affect the Latino population in the state.

Note: The LPRAC is aware of the current budget deficit facing the State of Connecticut; therefore, it would understand if the legislature decided to move the implementation of this bill to a later date. However, it would ask that priority be given to emergency services such as the 24-hour domestic violence shelter and funding for translation services.