



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF CHIEF STATE'S ATTORNEY CHRISTOPHER L. MORANO

IN SUPPORT OF:

S.B. NO. 443 (RAISED) AN ACT CONCERNING DOMESTIC VIOLENCE

JOINT COMMITTEE ON JUDICIARY
MARCH 13, 2006

The Division of Criminal Justice strongly recommends the Committee's Joint Favorable Report for S.B. No. 443, An Act Concerning Domestic Violence. This bill represents a major initiative to further strengthen our laws to protect against domestic violence and to further promote the effective investigation and prosecution of these crimes. It is the product of months of discussions and deliberations by the Division of Criminal Justice, the Connecticut State Police, the Connecticut Police Chiefs Association and the Connecticut Coalition Against Domestic Violence.

Sections 1 and 2 of the bill represent a major breakthrough on an issue that has long stymied both the law enforcement community and the General Assembly. That is the question of so-called weekend protective orders, or how to provide immediate protections to victims of domestic violence. More than a dozen other states already have provisions for issuing protective orders during those times when the courts are closed. Some require a judge to be on call around the clock to issue an order; others extend the authority to the police.

- What Sections 1 through 3 do is to allow the police to establish additional, non-financial conditions for the release of a defendant. This allows for immediate protections to be put in place without creating an entirely new system or process. Again, this concept is the result of much discussion and a sweeping examination of how other states address this issue. All involved - the police, the prosecutors and the victim advocates - have reached this consensus.
- Sections 4 and 5 of the bill represent a fine-tuning of the existing law to address incidents of violence that are not adequately covered by the existing law. These sections would create the new offense of assault of a family member by strangulation. There would be two degrees to the offense. Again, these sections were recommended by prosecutors who work on the special domestic violence dockets and the advocates for victims.
- Sections 6 and 7 reflect language that was presented to the General Assembly last year as part of the Division of Criminal Justice technical bill. There was no opposition expressed and the bill was approved by the Judiciary Committee. Unfortunately, it did

not make it through the session due to factors that had nothing to do with these provisions.

- Section 6 amends the law to specifically state that a Taser-like weapon is an electronic defense weapon and not a firearm. This change addresses the concern that a Taser-like weapon could be defined as a firearm because it discharges a projectile as does a firearm. Section 7 extends the current law allowing for the seizure of firearms in domestic violence cases to also allow for the seizure of electronic defense weapons. This is a logical extension since criminal possession of a firearm or electronic defense weapon under Section 53a-217 covers persons subject to a restraining order, protective order or foreign order of protection.

The Division of Criminal Justice respectfully requests the Committee's Joint Favorable Report for S.B. No. 443.