



Connecticut Coalition Against Domestic Violence

To: Members of the Judiciary Committee

From: Lisa Holden, Executive Director of CCADV

Date: March 20, 2006

**Re: RB 5813 – AN ACT CONCERNING VICTIMS OF CRIME
RB 5799 - AN ACT CONCERNING CRIME VICTIMS AND THE
VICTIM ADVOCATE
RB 5821 – AN ACT CONCERNING BEHAVIORAL HEALTH
AND SUBSTANCE ABUSE SERVICES THAT ARE GENDER
SPECIFIC AND TRAUMA-INFORMED**

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Good afternoon Representative Lawlor, Senator McDonald and

distinguished members of the Judiciary Committee. My name is Lisa Holden and I am the Executive Director of the Connecticut Coalition Against Domestic Violence (CCADV). I am here today to support RB 5813 – AN ACT CONCERNING VICTIMS OF CRIME and RB 5821 – AN ACT CONCERNING BEHAVIORAL HEALTH AND SUBSTANCE ABUSE SERVICES THAT ARE GENDER SPECIFIC AND TRAUMA-INFORMED and to oppose RB 5799 – AN ACT CONCERNING CRIME VICTIMS AND THE VICTIM ADVOCATE.

Allow me to begin with RB 5799 - AAC Crime Victims and the Victim Advocate. I would like to explain why I oppose Section 2, subsection (a) of this bill. First, let me say that as the chairperson of the Advisory Committee of the Office of the Victim Advocate, I am 100% in support of the Office and it's work to advance victim's rights. However, in serving over 52,000 victims last year, and over 227,000 victims over the past five years, CCADV has not seen any reason why the Victim Advocate needs subpoena power. In the late 1980's the Connecticut State Legislature created a criminal justice response that assured

confidentiality for the victim. For this reason, victim-defined advocacy has been the standard by which CCADV's victim advocates conduct all of our work. Giving subpoena power to the Victim Advocate will jeopardize the safety of victims and their families. With a release from the victim, the Victim Advocate is currently able to acquire information without the use of a subpoena. This approach is appropriate and adequate and does not need any revision.

In addition, Section 6, subsection (a) stipulates a system for providing each victim a form that shall be used to notify the court and the prosecuting authority of the victim's intent to exercise any right afforded to a crime victim. Again, not all victims participate within the criminal justice system in the same manner, thus while a form may be useful, it should not be mandated nor should any agencies be mandated to give such form to each and every victim. It is simply unreasonable to assume that such communication is always in the best interest of the victim. Instead, these forms should be made available when appropriate. Again, in our experience working with 227,000 victims over the past five years, it is not safe to legislate specific communications between the criminal justice system and the victim. Often, any indication that the victim is "cooperating" with the criminal justice system is perceived to be a threat to her abuser and the end result is too often severe punishment. Implicit within domestic violence cases is the threat of future harm and that is precisely why domestic abuse is referred to as a cycle of violence.

In regard to RB 5821 – An Act Concerning Behavioral Health and Substance Abuse Services that are Gender Specific and Trauma-Informed, I wholeheartedly support the bill and in fact, I applaud the legislature for considering a proactive stance

in assuring that behavioral health and substance abuse services are provided to victims of domestic violence within a trauma competent model. Just this past year, the Department of Health and Human Services created a new National Institute on Domestic Violence, Trauma and Mental health and I am honored to be a member of the national steering committee for this important initiative. The goal of the Institute is to provide a much-needed vehicle for developing the capacity of domestic violence advocacy and mental health service systems to address the trauma and mental health needs of survivors and their children, to respond more effectively to survivors living with psychiatric disabilities, and to ensure that advocates and clinicians have the resources and support they need to do this work. If enacted, RB 5821 has the potential to become a national model for best practice legislation.

In regard to RB 5813 –AAC Victims of Crime I support this bill with one slight modification. First, the creation of the Address Confidentiality Program was a significant step to assure that victims have a right to secure confidential housing following the rules and regulations as determined by this legislature and the Secretary of State. This bill continues to support the intent of the ACP.

Second, RB 5813 provides protections for victims whose perpetrators have attempted to use the criminal justice system to cause further harm and senseless harassment. Third, in addition to the language that defines a task force to be co-chaired by the Chief State's Attorney and the state Victim Advocate, I suggest that two state agencies who are primarily involved in victim notification be added to the bill, namely The Office of Victim Services and the Department of Corrections.

Thank you.