



Connecticut Coalition Against Domestic Violence

**To: Members of the Judiciary Committee**

**From: Lisa Holden, Executive Director of CCADV**

90 Pitkin Street  
East Hartford, CT 06108  
(860) 282-7899  
(860) 282-7892 Fax  
(800) 281-1481 (CT only)

**Date: March 13, 2006**

**Re: SB 443 - AN ACT CONCERNING DOMESTIC VIOLENCE**

**Member Shelter Programs**

The Umbrella  
Ansonia, CT

The Center for Women & Families  
Bridgeport, CT

Women's Center  
Danbury, CT

United Services, Inc.  
Domestic Violence Programs  
Dayville, CT

Network Against Domestic Abuse  
Enfield, CT

Greenwich YWCA  
Domestic Abuse Service  
Greenwich, CT

Interval House  
Hartford, CT

Meriden-Wallingford Chrysalis  
Meriden, CT

New Horizons  
Middletown, CT

Prudence Crandall Center  
New Britain, CT

Domestic Violence Services  
New Haven, CT

Women's Center of SE CT  
New London, CT

Domestic Violence Crisis Center  
Norwalk, CT

Women's Support Services  
Sharon, CT

Domestic Violence Crisis Center  
Stamford, CT

Susan B. Anthony Project  
Torrington, CT

Safe Haven  
Waterbury, CT

United Services, Inc.  
Domestic Violence Programs  
Willimantic, CT

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 important legislation that will provide additional safety options for victims of domestic violence. SB 443 provides for enhanced protections when the criminal and civil courts are closed. In addition, SB 443 provides for a separate criminal charge of assault by strangulation as well as expands the law that allows law enforcement officers to confiscate dangerous weapons from the scene of a domestic violence crime.

For the past several years, Senator Roraback and other legislators have proposed legislation that would allow victims to access orders of protection when the courts are closed. Unfortunately these bills did not pass and in addition, different members of the criminal justice system often gave conflicting testimony regarding their support or opposition for the bills. As a result, orders of protection, both criminal and civil, are only available during the court's normal business hours Monday through Friday.

SB 443 is the result of a historic collaboration that involved CCADV, the Office of the Chief State's Attorney (OCSA), the Connecticut Police Chiefs Association (CPCA), the Connecticut State Police (CSP), the Department of

Corrections (DOC), the Office of Policy and Management (OPM), the Judicial Branch, and Senator Roraback.

The purpose of the collaboration was to discuss a legal remedy that would be beneficial to victims of domestic violence and manageable for the criminal justice system. SB 443 accomplishes both. In essence, the bill allows a police officer to issue a no contact order as a condition of release at any time, day or night following an arrest for family violence. What is paramount to victim safety is that the order is being issued by the police officer using his/her own discretion, and not the victim's. Why is this important, particularly when we traditionally call for victims' voices to be heard?

The answer is a bit complicated. Far too many perpetrators later punish their victims if they believe that the victim has participated willingly in the criminal justice system's imposition of sanctions against the perpetrator. We see this daily in our work. A victim appears to be "uncooperative" during a court case yet she is essentially terrified that her abuser will think she is colluding with the law, as he has warned her not to do in the past. If she seeks safety from anyone other than him, he responds by punishing her to prevent her from repeating this error later. The perpetrator also demonstrates this controlling and dangerous behavior as a warning to the children who are witnessing these events. Hence, victims and their children are often isolated and kept hostage beyond anything any of us has ever imagined.

SB443 makes sense. How can we keep victims safe when an arrest has occurred at night or over the weekend? When a focus group of victims were recently asked for their opinion of this bill they all responded favorably that it was

needed and that it would make them feel safer, particularly because a violation of the order would be a class D felony.

SB443 has another important provision – that of adding assault by strangulation as a criminal act in and of itself. Why are we concerned about strangulation? First, the act itself is far more indicative of extreme violence and an attempt to cause permanent harm or even death. Only 11 pounds of pressure on a victim's carotid arteries for 10 seconds is needed to cause unconsciousness. By way of comparison, only 8 pounds of pressure is needed to pull a handgun trigger. Strangulation within the context of family violence is a powerful predictor of future lethal violence. A woman is 10 times more likely to be killed when her abuser has tried to strangle her in the past.

Lastly, SB 443 adds an expanded definition to "electronic defense weapon" to include stun guns and other conductive energy devices. Again, the addition of this language is important, as it will allow police officers to remove potentially lethal weapons from a home at the time of a domestic violence arrest. Removing weapons is a necessary and vital step to preventing future violence.

In conclusion, perpetrators of domestic violence need a consistent message of zero tolerance. The Judiciary Committee's support of this bill will help to accomplish that.

Thank you.