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Judiciary Committee
L.O.B Hartford,CT.

Re: False Domestic abuse
accusations by female spouses.
Access to the court houses by persons with
mental health illnesses. Improper notification

Dear Judiciary Committee members:

Thank you for giving me the opportunity to address your committee. I have been personally been a victim of false accusations by former spouses and by biased Judges who approve Restraining Orders (R.O) by vindictive spouses who use the courts and police to punish their spouses. Yet when a man tries to get a restraining order against a violent spouse he is denied.

I was unaware that on April 19,1999 my estranged wife Elena DeBiaso had made a complaint of assault against me to the Danbury police department, for hitting her in the stomach. The truth of the matter was, that the bag that we were struggling over accidentally bumper her in the stomach. I was arrested months later, on July 4, 1999 when I had a minor car accident in the Stop & Shop parking lot in Naugatuck. I was cuffed and put in a patrol car and transported to the Danbury Police Department where an arrest warrant had been issued. During this time no other incidents were reported by my ex-wife. This same spouse had on a number of instances threatened me with knives and had assaulted me but I did not make a complaint against her for fear of having my complaint fall on the deaf ears of the police department.

Months later I left my wife because of an abuse incident against our then three year old son at the suggestion of D.C.F. Why is it that Restraining Orders are approved for female spouses when there is no physical evidence to support their claims of abuse? They merely have to say that they fear their spouses to get a restraining order? This abuse of restraining orders has to stop. It is ruining the reputations of many good men and fathers like myself that don't have a violent bone in their body.

My mental health disease is often mistaken for an act of aggression but it is out of fear not anger. I have passive aggressive disorder. I also have suffered from panic attacks which are anxiety based.

I have numerous times tried to get restraining orders against my

spouses to protect me and my son only to be denied.

There needs to be gender sensitivity training of judges and training in A.D.A. Law. People with mental health issues are very often the victims of stereotyping and are stigmatized by the public.

I have submitted a Bill proposal to require Judges to verbally notify litigants of their rights as persons with hidden disabilities and their rights under the A.D.A..

Persons with alcohol abuse or substance abuse problems are being treated like criminals instead of being treated for their illnesses they are incarcerated. Persons with these ailments are considered disabled under the A.D.A. Act. This abuse of the disabled must stop.

There is a recommendation of Governor Rowland's Report on Children, Custody and Divorce that says the Superior Court Rules Committee should explore the idea of adopting rules and procedures for dealing with pro se litigants who abuse the court system by filing multiple frivolous motions. I have been recently become a victim of this new rule change in that I was stopped for filing motions in court for a whole year. I believe this action is unconstitutional. I have to repeatedly re file motions because they were denied because I had not filed the motions properly and had to re file them. One of the reasons was because they hadn't been served by a sheriff or some other procedural reason not because they were frivolous. My ex-wife took this opportunity to deny me access to our son for a month and I finally after weeks asked the Judge to grant me permission to file a contempt motion and he did.

Another recommendation by the Governor's Commission was to Create and implement a conflict management service, which I have not seen yet. This is on page 20 of the Governor's report.

Yours Truly,
John DiBiase Jr.
(Qualified Disabled Individual)

