



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

**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

To: Judiciary Committee

From: Erika Tindill, Esq., Executive Director  
Connecticut Coalition Against Domestic Violence

Date: March 19, 2009

Re: H.B. 6681 Concerning the Service of Restraining Orders  
for Relief from Domestic Abuse.

Good afternoon Senator McDonald, Representative Lawlor and members of the Judiciary Committee. My name is Erika Tindill and I am the Executive Director of the Connecticut Coalition Against Domestic Violence (CCADV). I appreciate the opportunity to be heard regarding House Bill 6681: An Act Concerning the Service of Restraining Orders for Relief from Domestic Abuse.

The Coalition is **supportive of the central purpose of the bill** – to ensure that petitioners are not overly burdened with unnecessary obstacles in securing a marshal to effectuate service of the order. We know firsthand from our work with petitioners across the state that there have been and continue to be problems with service of restraining orders. However, we would **urge the committee to take no action on the bill** for the following reasons: **First**, the Coalition is currently seeking funding for a Restraining Order Initiative that engages key stakeholders across Connecticut to produce a comprehensive policy and legislative response to issues around obtaining, serving, and enforcing restraining orders. Those stakeholders include state marshals, judges, the family law bar, the

Department of Children and Families, clerks of court, law enforcement, community members, and most importantly, current and prospective petitioners. The catalyst for this Initiative was the February 14, 2009 murder of Tiana Notice of Plainville who obtained a restraining order against her ex-boyfriend. **We believe that the bill represents an incremental step in this larger Initiative.**

**Second**, we do not believe that having the clerk of court assign responsibility to one or two marshals to effectuate service of *all* temporary restraining orders obtained on a given day alleviates the problems state marshals experience in effectuating service (Section 1(e), lines 53-58) . In fact, it **conceivably creates additional problems for the marshals while simultaneously incurring increased financial burden.**

**Third**, requiring the clerk to schedule a new date for the 14-day hearing (Section 1(e), lines 88-95) where the marshal fails to make service is problematic as it **arguably violates the constitutionally guaranteed due process rights of the respondent.**

**Fourth**, the proposed **record keeping and reporting requirements** (Section 1(f), lines 96-112) **fail to capture and address the problems** experienced by marshals which are inherent in effectuating service of restraining orders and similarly fail to reflect the problems encountered by petitioners when service attempts are unsuccessful.

**Fifth**, we are not convinced that the **issue of state marshals becoming Judicial Branch employees is properly part of this legislation** (Section 3).

**In conclusion**, it is well-established that the most dangerous time for a victim of domestic violence is when they choose to take control of and extract themselves from their abusive situation. Therefore, putting a safety plan in place is crucial and for many of the victims we serve, a restraining order under 46b-15 is a key

component. The Connecticut Coalition Against Domestic Violence feels strongly that the experiences and views of those petitioners for whom H.B. 6681 purports to benefit, are heard and incorporated into law in a comprehensive manner. **We cannot support the bill as written.**

Thank you. I'm happy to answer any questions you may have at this time.