



To: Members of the Judiciary Committee
From: Barbara Bellucci
Date: March 30, 2011
Re: Raised Bill 6629: An Act Concerning Domestic Violence

Good afternoon, Senator Coleman, Representative Fox and members of the Judiciary Committee. My name is Barbara Bellucci and I've been employed as a Court Based Family Violence Victim Advocate with Domestic Violence Services of Greater New Haven for 22 years. I am here today to ask for your support of Raised Bill 6629: An Act Concerning Domestic Violence, in particular the section concerning surety bail bond agents and professional bondsmen.

Our office provides advocacy, support and safety planning to the nearly 4,000 victims of family violence referred to us each year in GA23 alone. This is a particularly challenging task, especially at arraignment when we are often providing services within hours of the violent incident.

The Court makes two very important decisions during the arraignment process that have a direct impact on victim safety. The first is the issuance of a protective order. These orders contain specific conditions that address the individual safety concerns of each victim. These orders are issued as a condition of the defendant's release.

The second, equally important decision has to do with the Judge setting a bond. Day after day, case after case, the process is the same. The defendant is brought before the court, and the Judge gives thoughtful consideration to the recommendations made by the State's Attorney, the Bail Commissioner and the Defense Attorney. The Judge carefully reviews the defendant's criminal history, paying special attention to any convictions for "failure to appear" as well as the nature of the charges before him/her. The bond is set by the Judge after determining the likelihood that this defendant will appear for future court dates AND the safety concerns of the victim and the community at large.

Once the bond is set, friends and family members of the defendant often leave the courtroom and retreat into the lobby, to be confronted by several bondsmen willing to "make a deal" and accept much less than the customary 10% set by the Judge. This scenario is repeated day after day – in every court in the State. In essence, despite the authority and careful consideration of the Judge, the bail bondsmen are now setting the price for the defendant's freedom. Victims who were initially comforted by the belief that their abuser would be financially unable to post bond and therefore held in jail, must now face the reality that freedom can be bought at a rate far less than the Judge intended. When an advocate informs a victim of the amount of bond set at arraignment, the advocate must also explain that the court cannot control the financial arrangements often made between the defendant and a bondsman, therefore the victim should prepare accordingly. Our victims typically lose confidence in the system that is designed to protect them. Essentially, the bond set by the Judge becomes meaningless, and the defendant's ability to negotiate a deal with his local bondsman controls the outcome.

Safety planning with victims of domestic violence is often difficult - it is especially challenging when we are faced with inconsistencies within the very systems designed to provide protection and accountability. The Court's authority should not be undermined by a loosely governed business where deals are negotiated in the hallways and on the steps of the institution responsible for dispensing justice.