



To: Members of the Judiciary Committee

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

Date: March 30, 2011

Re: Raised Bill 6629: An Act Concerning Domestic Violence
Raised Bill 1220: An Act Concerning Family Violence

Good afternoon, Senator Coleman, Representative Fox 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 am here today to speak on Raised Bill 6629: An Act Concerning Domestic Violence and Raised Bill 1220: An Act Concerning Family Violence.

CCADV is a network of 18 domestic violence agencies across the state that provide a comprehensive range of services to victims and their families. In the last fiscal year, those agencies collectively served more than 70,000 men, women, and children – nearly half of which were referred by Family Violence Victim Advocates (FVVA) from criminal courts.

Overall, CCADV is supportive of the proposals and language in Raised Bills 1220 and 6629. In Raised Bill 6629, there is a section we would like to highlight and three sections that we would like to recommend some changes to improve the bill.

Sections 16-22 outline legislative changes to improve accountability and oversight of surety bond agents and bail bondsman. These changes reflect some measures that would enhance victim and public safety. When offenders – particularly those accused of family violence crimes - are able bond out by paying less than the premium rate, no amount of money at all, or by arranging for future payment with a bail bond agent, victims safety is compromised because they believed that the offender would remain in custody.

In a recent survey of FVVAs throughout the state, 81% of the respondents indicated that in their courts, bail bond agents regularly enter into payment agreements with no down payment or are accepting less than 10% of the bond from a domestic violence offender. They see these types of arrangements frequently in their advocacy for victims. I hope you agree that such a system is not a responsible or ethical solution to the financial concerns of bail bond agents. More importantly, this system has created enormous safety risks for victims. FVVAs and other advocates working with victims asked them about the impact of having their abuser released on bond. They reported that:

- they are afraid that their abusers will come after them in retaliation for the arrest;
- they are alarmed because they had a false sense of security and hope regarding their safety;
- they panic and are unprepared to deal with the reality that their abuser was released even when the judge set a high bond;
- they are shocked because they know the offender did not have the funds to bond out;
- they are dismayed at the system's inability to protect them and hold offenders accountable.

These same victims reported that when their abusers were released on bond, they had to take additional precautions such as staying with family or friends, having someone stay with them, relocating temporarily or seeking emergency shelter.

Increased regulation of the bail bond industry is not going to stop perpetration of violence. Such legislation, however, can play a part in addressing domestic violence victim and public safety concerns.

CCADV would like to suggest the following changes to the draft language to improve the bill:

- 1) Under Section 4, Subsection (h) it is recommended that the committee add the word “conditional” so that it reads, “The court may require the defendant to enter a *conditional* plea on the family violence crime charges as a condition for assignment to the family violence education program, provided such charges shall be dismissed upon the defendant’s successful completion of the family violence education program.” This word is required because under federal immigration law - 8 U.S.C. 237(a)(2)(e) Crimes of Domestic Violence – and conditional pleas is not a conviction for immigration purposes.
- 2) Under Section 9, Subsection (c), new docket courts will be established “within available resources.” It should be noted that there is great need for additional FVVAs to assist the court in addressing domestic violence cases. FVVAs in New Britain, New London, and Norwalk courts are currently not fully funded.
- 3) Under Section 23, Subsection (b), it is recommended that the word “statewide” be removed from item (13) so that any legal services program is eligible to serve on the model protocol

task force.

I would like to thank Speaker Chris Donovan, Representative Mae Flexer, and members of the Domestic Violence Task Force for their leadership and commitment to this issue. On behalf of victims and survivors of domestic violence and the agencies that serve them, I ask that you support their recommendations for this new legislation.