



Date: March 23, 2012

To: Senator Coleman, Representative Fox, and members of the Judiciary Committee

Re: Support for An Act Concerning Domestic Violence (Raised Bill No. 5548):
Non-Conviction Information to Victim Advocates

The DVCC is a member of the Connecticut Coalition Against Domestic Violence and provides direct services annually to over 4,000 victims of domestic violence across seven communities in mid-Fairfield County. We are contracted by the State to provide court based victim advocacy in both the Stamford and Norwalk Courts. In 2011, these advocates provided safety planning services and advocacy in over 2,000 criminal court cases.

Given the prevalent use of diversion in domestic violence criminal cases across the State, many offenders receive nolle and dismissals for their first and sometimes second offenses and come through the criminal court for that second or third crime without a prior "criminal record" that is available to the public. A pattern of abuse is a significant lethality indicator. Prior police and/or court involvement is essential for court based victim advocates to effectively perform the task that the State has contracted us to provide, and the DVCC strongly supports the proposed legislation that would enable court based victim advocates, under a non-disclosure agreement with the Judicial Department, to obtain access to this information.

Without sharing such information with the victim, merely having an awareness of past police and court involvement better critically informs an advocate's efforts to safety plan and effectively advocate for the safety of the victim. Such information is rarely able to be obtained from victims themselves, and what is obtained from victims is often inaccurate, for a variety of reasons, the most prevalent two being that the victim is unaware of the history as a result of: (1) an offender having lied about the substance of any previous actions that were taken by the police and/or the court; and (2) the previous incident(s) were with other victim(s) and the present victim was never informed about it.

Where there is a history and/or pattern of violence, an advocate will be much more aggressive in their efforts to engage the victim in a more intensive safety planning process. Our advocates are trained to be able to engage in this type of safety planning and advocacy without revealing confidential information. The main function of our jobs is to advocate successfully on behalf of a victim without disclosing certain confidential information that we are provided by them.

Victim advocates are contracted by the State to provide direct services and advocacy for victims of domestic violence. We are from community programs because the State has recognized the benefit of having such a specialization and connection to the community programs in the context of domestic violence. However, these advocates are, for all intents and purposes, court personnel, many with office space within the walls of the courthouses, and are critical members of the domestic violence court teams. The proposed amendment would officially sanction the access of court based advocates to critical information that will help us keep victims of domestic violence safer, and for that reason, the DVCC strongly encourages you to pass the proposed legislation.