



CONNECTICUT LEGAL SERVICES

A PRIVATE NONPROFIT CORPORATION
16 MAIN STREET NEW BRITAIN, CT 06051
TELEPHONE (860) 225-8678
FAX (860) 225-6105
E-MAIL NEWBRITAIN@CONNLEGALSERVICES.ORG

JOANNE LEWIS
MANAGING ATTORNEY - OFFICE

NILDA R. HAVRILLA
MANAGING ATTORNEY --
HOUSING UNIT

CATHERINE A. HOLAHAN
MANAGING ATTORNEY --
CHILDREN AT RISK UNIT

JOHN P. SPILKA
MANAGING ATTORNEY --
DISABILITY (SSI) UNIT

NEIL L. BROCKWEHL
MICHAEL BURNS
KRISTEN NOELLE HATCHER
MYKLYN MAHONEY
AGATA RASZCZYK-LAWSKA
DAVID STOWE
MARTIN WHEELER
ATTORNEYS AT LAW

MARIA HUERTAS
TERESITA TORRES-ARROYO
LORELEI WEAVER
LEGAL ASSISTANTS

ADMINISTRATIVE OFFICE
62 WASHINGTON STREET
MIDDLETOWN, CT 06457
(860) 344-0447

RICHARD F. ORR
BOARD CHAIR

STEVEN D. EPPLER-EPSTEIN
EXECUTIVE DIRECTOR

LAW OFFICES

211 STATE STREET
BRIDGEPORT, CT 06604

16 MAIN STREET
NEW BRITAIN, CT 06051

153 WILLIAMS STREET
NEW LONDON, CT 06320

20 SUMMER STREET
STAMFORD, CT 06901

85 CENTRAL AVENUE
WATERBURY, CT 06702

872 MAIN STREET
WILLIMANTIC, CT 06226

SATELLITE OFFICES

2 WEST STREET
DANBURY, CT 06810

5 COLONY STREET
MERIDEN, CT 06451

98 SOUTH MAIN STREET
SOUTH NORWALK, CT 06854



March 23, 2012

Judiciary Committee

Testimony of Michael Burns in support of H.B. 5548 An Act Concerning Domestic Violence

Senator Coleman, Representative Fox, Senator Doyle, Representative Holder-Winfield, Senator Kissel, Representative Hetherington, and members of the Committee.

My name is Michael Burns, and I am an attorney at Connecticut Legal Services, Inc. I have been representing victims of domestic violence for 25 years and I am here on behalf of the 3 major legal services organizations in Connecticut to testify in support of House Bill 5548 An Act Concerning Domestic Violence. Connecticut Legal Services, Inc., Greater Hartford Legal Aid, and New Haven Legal Assistance all are in support of this bill. The purpose of this bill is to implement the recommendations of the legislative task force on domestic violence. The task force should be complimented for its work on this project. This bill amends the current restraining order statute to add much needed protections for domestic violence victims. This bill makes several improvements to the statute. There is one in particular which I would like to discuss.

C. G.S. 46b-15 is the statute which gives the Superior Court the authority to issue a civil restraining order upon the application of a victim of domestic violence. When a restraining order is granted by the court, the clerk of the court sends a copy of the order to the victim, and to the local enforcement agency for the town where the victim resides. If the defendant resides in a different town the restraining order is also sent to the law enforcement agency for that town. Upon the request of the victim, the restraining order is also sent to the law enforcement of the town where the victim works if it is different from the town in which the victim resides.

Through amendments over the years, the statute has incrementally provided better protections by having the restraining order on file with the law enforcement where a violation is most likely to occur. This has improved safety of victims with quicker responses to threatening situations. Typically an abuser will go after the victim at their residences or their workplaces.

It is also very common for an abuser to go after their victim at a school or other educational program where the victim attends. One of the additional protections that this bill provides is that the clerk of court will also send a copy of the restraining order to the school or special police force that that school if there is one. This provision is a much needed improvement to the statute. I have had a lot of experiences with abusers showing up at schools.

However, something very important is left out. Abusers not only show up at educational facilities where the victim resides, but also go to child care centers and schools where the children attend. If there are children of the parties or involved in the family dynamic, it is very common for abusers to use the children to get at their victim. Children are often put in the middle of a horrible situation and used as pawns in an abusive relationship.

So, to improve these notice provisions in this bill and to better protect children, I am suggesting that at the end of the new sections which require the clerk of court to send a copy of the restraining order to a school where the victim is enrolled at the request of the victim, language should be added stating that: **“At the request of the victim, any order of protection which includes any protections for any child listed on the order shall be sent by the clerk of court to any school, preschool, day care, or other such facility where the child is enrolled or attends.”** This one sentences should be added to the bill in the two places in the bill that provide for the clerk to send the order to a school attended by the victim. Once again, all three of the major legal services organizations support this bill and are in agreement that this sentence should be added. By adding this little sentence we will be giving a big safety valve for children.

Thank you and if anyone has any questions I will be glad to respond.