

Center for Youth Leadership Stamford Youth Services Bureau

Why wait for someone else to make a difference?

Connecticut Legislature: Judiciary Committee *Testimony in Support of Raised HB 5548: An Act Concerning Domestic Violence March 23, 2012*

Sam Lyman and Mallory Ham

Hi Senator Coleman, Representative Fox, and members of the committee. We have special greetings for Representative Morris, who is from our district in Norwalk; and Representative Flexer and Senator Gerratana, with whom we have worked on dating violence and child abuse legislation.

My name is Sam Lyman and I am a member of the Mayor's Youth Leadership Council at Stamford High School. I am joined by Mallory Ham, who is a member of the Center for Youth Leadership at Brien McMahon High School in Norwalk. On behalf of our 300 members, we are here in support of *HB 5548 - An Act Concerning Domestic Violence*; specifically, Section 4, Section 54-1k.

Dating violence is not a one-shot issue with us; we have been working on it since 2006. We lead several public awareness activities a month in our schools and hometowns. We volunteer with children twice a week at two domestic violence safe houses in Fairfield County. We worked closely with lawmakers on this and other committees to pass legislation that eventually became PA 091. And in addition to our ongoing public awareness activities, we are currently working with the Boards of Education in Stamford and Norwalk on protocols that school administrators can use when responding to teen dating violence incidents on campus.

But it was the work we did last year on legislation that became PA 152 that prompted us to ask the Speaker's Task Force on Domestic Violence to

recommend that high schools receive a copy of the restraining orders and protective orders that high school aged victims of dating violence secure against their abusive dating partners.

As you know, we are not talking about a minor issue. Dating violence is consistently listed by high school students as a leading cause of emotional distress and a contributing factor to school failure (*Madeline Wordes, "Our Vulnerable Teens," National Center for the Victims of Crime, 2002*).

In Connecticut, ten percent of teens surveyed were in a physically violent dating relationship last year; 17 percent were in an emotionally abusive dating relationship (*Department of Public Health School Survey*). And of those teens in Connecticut in violent dating relationships last year, 30 percent considered suicide, 25 percent made a suicide plan and 20 percent attempted suicide (*Ibid*).

Nationally, 43 percent of student-victims reported that at least one teen dating violence incident occurred on school grounds or during school hours (*California Women's Law Center*).

Yes, there are challenges with HB 5548, especially where high schools are concerned, but we believe it is important for people our age to have access to as many resources as possible - including restraining and protective orders - to insure our academic and emotional success. We thought one of the biggest challenges would be the federal law known as FERPA, the Family Educational Rights and Privacy Act, which determines, in part, who has access to what information about high school students. However, in meetings with school officials responsible for compliance with FERPA, we were assured that the sharing of a protective order or restraining order with high school staff would not violate federal law, as long as the order is shared only with those school officials permitted by the law.

Other issues may arise in terms of no-contact contracts between the victim and the abusive dating partner, and accommodations in terms of class schedules if both attend the same school, but we believe they can be addressed in the

protocols we are working on with the boards of education in our towns; protocols that can be adopted by other school districts.

We have the following recommendations about Section 4, Section 54-1K of HB 5548.

(1) The section seems to address protective orders only. We suggest you insert language so that the section covers protective orders ***and*** restraining orders.

(2) The course of action outlined in the section - including the mailing of a protective order or restraining order to a high school - seems to be triggered by the violation of an existing order. The course of action in this section should be triggered upon the date of the initial protective order or restraining order, or a violation of an existing protective order or restraining order.

(3) Given the restrictions of FERPA, we suggest the protective order or restraining order not be sent to a high school by fax - you never know who will see it, especially if it is not a secure line, which is likely in most high schools. Per the recommendation of school officials we met with, the order should be mailed to the high school principal, or the vice principal in charge of the victim's grade. To avoid any confusion, we suggest it be mailed to the school principal.

(4) We recommend you insert language that requires the mailing of the protective order or restraining order to a high school principal "not later than 48 hours after the issuance of the order."

(5) Please see the line that reads, "...the clerk of the court shall, upon the request of the victim, send...a copy of the order." As you know, the victim of dating violence may be a minor, so we suggest the line read, "...the clerk of the court shall, upon the request of the victim and/or the victim's parent/guardian, send...a copy of the order."

(6) We suggest you insert language that requires the judge and/or court clerk to (a) inform the victim and, when necessary, the victim's parents/guardians

that the victim may request a copy of the restraining order or protective order be sent to the school principal or appropriate school personnel, and (b) refer the victim to a domestic violence agency to learn about safety planning at school.

A larger issue not addressed by HB 5548, and one which we will work on with the Speaker's Task Force on Domestic Violence and the Connecticut Coalition Against Domestic Violence, is the absence of a mandate that requires school districts to have a dating violence policy and a protocol that guides school administrators' training in dating violence and their response to incidents on campus.

All of this is necessary because schools cannot ignore the problem of dating violence - it happens on campus; it may compromise a school's mandate to provide students with a safe learning environment; it affects a victim's ability to concentrate on classwork; and more often than not victims will come across their abusers in class, the cafeteria and in the hallways.

On behalf of our 300 members, we ask that you support the recommendations we outlined in support of HB 5548. Thanks for the opportunity to talk to you.

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