

Testimony

By

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Good morning Judiciary Committee and thank you for the opportunity to be here today and speak on such an important issue such as **House Bill 6702, An Act Concerning Domestic Violence and Sexual Assault**. I am here today to testify on Section: 4, which requires the Judicial Branch to establish an ongoing training program for guardians ad litem.

My name is Jennifer Lopez; I am the Advocacy Program Director at Interval House, the largest of 18 domestic violence programs in the state of Ct. Interval House provides comprehensive domestic violence services to victim of domestic violence in Hartford as well as 23 other surrounding towns.

There are currently no state standards for the 6 day training course that prospective Guardian ad Litem (GAL) must take, nor are there any established outcome measures for successful completion. It has been my experience in the past 24 years that I have been providing services to victims, that there is a lack of understanding of the dynamics of domestic violence which play out in the course of a divorce and custody case in the family court. In particular, the GALs are given a high amount of power in making very important decisions and recommendations to the court that can ultimately either better or destroy the live of a child. This lack of understating has led to victim-blaming, not understanding the impact of witnessing domestic violence on children and not recognizing when an abusive parent is trying to use the child to continue to control and manipulate the non-abusive parent. This is not just my opinion but my own observations, as well as many victims' accounts about how the abuse became worse after the separation, but now it was thru the children.

Most batterers when they realize the victim has left and is not coming back will do anything they can to gain access to them. Therefore, they attack what is most dear to them. In some situations, it can be her job, her immigration status or her family. In cases where there are children, the batterer knowing the children are the most important things in a mother's live, will punish her by using them. Therefore, if they gain access and/or custody of the children, the mother will return to protect them. This is unfortunately true. It has been our experience in many cases that victims will return because they feel is the only way to protect their children.

According to national statistics, 90% of children from violent homes witness their fathers beating their mothers, 63% of all boys, age 11-20, who commit murder, kill the man who was abusing their mother and that the more severe the abuse of the mother, the worse the child is abused.

According to the best interest of the child standard in Connecticut, “we have consistently held matters involving child custody that while the rights, wishes and desires of the parents must be considered is nevertheless the ultimate welfare of the child which must control the decision of the court” In considering this staggering statistics and the best interest of the child, it is hard to understand why so many non-offending mothers are losing custody of their children to the offending parent.

In addition to their knowledge, experiences and expertise, Judges often rely on the information provided by the active players on a case i.e. the guardian ad litem to make their legal judgments. Therefore, they must receive the most extensive training and follow up focused on the family dynamics and the victim’s perspective and experiences such as ; the misconception that because the parties are no longer in a relationship that the control and violence stops and is no longer an issue, the fact that domestic violence is about power and control, therefore, the batterer will try to drive the process by manipulating the people involved, making them believe that he is a good parent and that the mother isn’t, that forcing a child to spend time with the offending parent, someone that he/she most likely witnessed been violent to their mother and often afraid of, is not in the best interest of the child, that witnessing violence between one’s parent or caretakers is the strongest risk factor of transmitting violent behavior from one generation to the next, that boys who witness domestic violence are twice as likely to abuse their own partners and children when they become adults, and that 30% to 60% of perpetrators of intimate partner violence also abuse children in the household.

Due the high volume of domestic violence cases in the family courts which GALs are expected to handle, there needs to more extensive training on the offending parent’s tactics of control over the victim and the process to ultimately change the outcome to his benefit, the non-offending parent’s response to his behaviors and actions of control and the effects of domestic violence on children. Enhancing the training, by utilizing experts on domestic violence i.e. batterers tactics of control, dynamics of domestic violence, its effects on the children and the short and long effects of the trauma. Also follow up training to become more specialized with children needs and dynamics by working collaboratively in the field. Establishing standards and outcome measures will result in a stronger GAL system more adequately prepared to advocate for children involved in family violence cases, therefore, enhancing the odds for children to have a chance at a healthy a non-violent future.