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Testimony of Garvin G. Ambrose, Esq., State Victim Advocate
Submitted to the Judiciary Committee
March 31, 2014

Good day Senator Coleman, Representative Fox, and distinguished members of the Judiciary Committee. For the record, my name is Garvin Ambrose and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony concerning:

Raised House Bill No. 5593, *An Act Concerning Domestic Violence and Sexual Assault*

The Office of the Victim Advocate (OVA) fully **supports** Raised House Bill No. 5593, as the proposal would, in part, provide financial protections for family violence victims who seek ex-parte and restraining orders; establishes a task force to study issues relating to the service of restraining orders by state marshals; and strengthens the criminal penalties for violations of civil restraining orders and criminal protective orders. On March 17, 2014, the OVA submitted testimony in support of Raised Senate Bill No. 462 to this Committee and I would ask that you review that testimony for a more detailed explanation of the above provisions.

While Connecticut has made significant strides over the last few years to improve our state's response to incidents of domestic and family violence, Sections 13 through 20 of the proposal may very well have a greater impact with the education and awareness of teen dating violence to our youth. Prevention efforts, training of school personnel, recording and reporting incidents, and improving a school's response to incidents may reduce the potential for future domestic violence incidents. Unhealthy relationships can start early and may last a lifetime. According to the Centers for Disease Control and Prevention (CDC), nine percent of high school students reported being hit, slapped, or physically hurt on purpose by a boyfriend or girlfriend (2011). Teens often think that some "abusive" behaviors, like teasing, repeated texting and name calling, are acceptable forms of behavior; it is this illogical thinking that can begin a cycle of abuse; therefore, the aims of this proposal should be quickly implemented.

Sections 21 – 26 of the proposal creates the availability of a civil protective order for any victim of sexual assault, sexual abuse or stalking, who otherwise would not qualify for relief from abuse under C.G.S. § 46b-15. As we know, victims of sexual assault and stalking are highly vulnerable, especially during the criminal investigative stage, if one begins, because of the nature and violence associated with these offenses. With sexual assault criminal investigations being particularly difficult and challenging for law enforcement, and therefore potentially taking a substantial length of time to reach a conclusion, there is always a period of time where

victims are left without protection. As sexual assault offenses are widely underreported, protection may never be available to many victims. The proposal justifiably seeks to establish a process for all victims of sexual assault and stalking, in a similar manner to those of domestic and family violence, to seek the necessary orders of protection. The OVA **supports** the efforts to afford victims of sexual assault and stalking relief from abuse and urges the Committee to bring Connecticut in line with the seventeen (17) other states that currently offer these protections.

Section 30 of the proposal will provide for a 2 year mandatory minimum sentence when a person has been convicted of “spousal” sexual assault, consistent with the penalty for sexual assault 1st. Sexual assault is a violation of one’s very being; the penalty should not be lessened simply because the perpetrator is a spouse or cohabitor. The OVA believes that it is important for this Committee to understand that if it is their actual intent to require a convicted defendant to serve every day of the 2 year mandatory minimum portion of their sentence behind bars, then the proposal must be amended to read **“for which two years of the sentence imposed may not be suspended or reduced in any manner.”** Preserving the “may not be suspended or reduced by the court” language would allow the opportunity for the inmate to serve part of the mandatory minimum sentence while the inmate has been released into the community under transitional supervision or supervision by the Board of Pardons and Paroles.¹

Currently, a defendant may be charged as a persistent offender for the recurring conviction of crimes relating to assault, stalking, harassment, threatening and violations of orders of protection, **EXCEPT** for a violation of a standing criminal protective order. The OVA believes this omission was simply an oversight; Section 31 of the proposal is merely a technical revision to close the loophole and hold offenders accountable.

Sections 32 – 34 of the proposal will improve the overall isolation that victims of domestic violence often experience within the family court system. It is widely known and understood that the family court system is utilized by some domestic violence offenders to further abuse, harass and threaten their victim. Additionally, the victim’s safety may be compromised while initiating a family action or relief from abuse application. The Judicial Branch Family Division statistics for 2011-2012 cited 14,159 dissolution matters and 3,623 custody actions, totalling 17,782. It can be reasonably assumed that a percentage of those cases are related to a percentage of the 8,865 relief from abuse cases cited. Moreover, family matters many times run concurrent to a domestic violence criminal matter; a recipe for disaster for many victims of domestic violence. While victims of domestic violence are afforded the assistance of a family violence victim advocate in criminal matters, those same victims are not afforded the same level of services while experiencing continued abuse by an offender, within the family court system. The family violence victim advocates must have the flexibility to assist victims navigating through the family court system as well as the criminal court system; this will benefit both systems with greater consistency and reliability of information.

¹ State of Connecticut, Attorney General Formal Opinion 2014-001; January 27, 2014

Improved training to judges, Court Support Services Division personnel, guardians ad litem and clerks will undoubtedly present those individuals with a greater understanding of the complexities of domestic and family violence. **The OVA recommends adding judicial marshals among those to receive such training, as they are often the first line of contact for a victim entering either the criminal or family courts.**

Domestic violence shelters offer victims a safe, confidential residence while they transition away from an abusive relationship. The confidential location of the shelter is absolutely critical in maintaining victims' safety. There have been instances where domestic violence offenders have actively pursued their victims' location, and consequently placed other victims of domestic violence in danger. Anyone who overtly violates this confidentiality should face a penalty for doing so. I urge the Committee to support these sensible proposals to improve the climate of domestic and family violence.

Finally, the OVA support the inclusion of a 16 or 17-year-old youth to the State Advisory Council of the Office of Victim Services. The unique experiences of youth can only benefit the Council as policies, services or literature is updated and/or developed specific to the younger population of crime victims.

Raised House Bill No. 5593 is a comprehensive package of recommendations that will bring Connecticut closer to the nationwide effort to reduce and end domestic violence and sexual assault. I dutifully urge the Committee to **SUPPORT** the proposal.

With gratitude,



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