



Testimony Regarding Raised Bill 462 - AAC Civil Restraining and Protective Orders

Good Morning Senator Coleman, Representative Fox and members of the committee. My name is Andrea Mancuso, and I am a Staff Attorney with the Domestic Violence Crisis Center (DVCC), a member program of the CT Coalition Against Domestic Violence (CCADV). One of my primary responsibilities is providing assistance and representation to victims of domestic violence who wish to obtain a civil restraining orders and/or criminal protection order.

I urge you to **SUPPORT Raised Bill 462 - AAC Civil Restraining and Protection Orders.**

Section 1:

Approximately 30% of all victims that seek information about civil restraining orders through my office ultimately determine: 1) not to pursue a qualifying application; 2) not to attend the hearing on their granted ex parte application; or 3) to seek early termination of a granted full term order due to the fact that economic relief is not currently provided for in our statutes. Their abuser either has retaliated (or the victim knows he will retaliate) by failing to pay the rent (leaving the victim in jeopardy of eviction or homeless), taking away the family car (often the victim's only means of transportation), removing the food from the home, etc. In these cases, the failure of the law to adequately provide for economic relief directly compromises safety.

Economic abuse is one of the most pervasive tactics abusers utilize to keep their victims dependent on them. Inability to achieve economic independence is the primary reason that we see it taking victims multiple attempts before they are able to leave for good. Recognizing this, more than 35 other states provide for economic relief as part of the restraining order process. The relief outlined in SB 462 represents a best practice and would substantially increase the likelihood that a victim will successfully escape an abusive relationship much earlier in the process.

Section 3:

For victims who have accessed the civil court for a restraining order, difficulty with the current process to accomplish service on the offender is overwhelmingly cited as a significant barrier - particularly for those victims who are attempting to navigate the process without the benefit of an attorney or an advocate. Problems often include: state marshals not returning phone calls; marshals refusing to make more than one attempt at service; and safety concerns communicated by the marshal a victim does manage to connect with.

Successful service of restraining orders is critical to a victim's ability to obtain a restraining order for a full year. Victims who are unable to successfully accomplish



service are often told that they must go through the process of re-filing their entire application. Understandably, many find this process daunting and discouraging and ultimately give up, which compromises their safety.

Research conducted by New Haven Legal Assistance and the Yale Restraining Order Project has revealed that Connecticut is the only state in the country that does not provide for service of restraining orders by law enforcement. The creation of a task force to study this issue, including examining best practices established by other states and providing thoughtful recommendations for legislative action, would be a highly desirable way to address what is often an insurmountable challenge for victims seeking assistance in securing their safety.

Sections 2, 5-10:

One of the most commonly known facts about domestic violence is that a victim is usually in greatest jeopardy after she has taken steps to leave the relationship. Restraining orders and protection orders are evidence of a victim's having reached out for help and our systems attempting to respond appropriately. Where an abuser who is subject to one of these orders demonstrates a willingness to violate the order to get at his victim, this is a strong indicator of an elevated risk of lethality - particularly where the violation involves physical violence, threats, restraint, etc. Increasing penalties for these violations, as proposed by SB 462, sends a clear message about the seriousness of this criminal behavior and would provide our courts with increased options to deal with such offenses accordingly.

On behalf of the DVCC, I would like to thank you for considering the proposals outlined in SB 462 and urge your support.

Please do not hesitate to contact me with any questions or concerns.

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