



**State of Connecticut**  
DIVISION OF CRIMINAL JUSTICE

**TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE**

IN SUPPORT OF:

**H.B. No. 7004 (RAISED) AN ACT CONCERNING IMPLEMENTATION OF THE  
RECOMMENDATIONS OF THE TASK FORCE TO STUDY SERVICE OF  
RESTRAINING ORDERS**

JOINT COMMITTEE ON JUDICIARY  
March 16, 2015

The Division of Criminal Justice recommends the Committee's JOINT FAVORABLE REPORT for H.B. No. 7004, An Act Concerning the Implementation of the Recommendations of the Task Force to Study Service of Restraining Orders.

This bill adopts many of the recommendations of the task force established by the General Assembly pursuant to Section 121 of Public Act 14-217, An Act Implementing Provisions of the State Budget for the Fiscal year Ending June 30, 2015. The Division of Criminal Justice had the privilege to participate in this task force and we thank the members, including Supervisory Assistant State's Attorney James R. Turcotte, for their work on the task force.

The task recommendations reflected in H.B. No. 7004 are the result of testimony from law enforcement in Massachusetts and victim advocates from other states as to the practices in their states. Their testimony and discussion among the task force members highlighted some deficiencies in our Connecticut procedures for the application, service and notice provisions regarding restraining orders.

The practical and common sense ideas embodied in this bill will help victims through a very difficult and emotional time, while providing them with greater opportunity to have the court hear their requests for protection. These recommendations will provide a greater ease of application process, a greater likelihood of service of the order, notice to respondents, and victims having a greater opportunity to have a court hold a hearing and decide the petition on its merits.

It was readily apparent from the testimony to the task force that changes are needed to the current process service. The existing procedures are antiquated and do not account for advances in technology or permit more than one attempt at service by the marshal. This proposal increases the likelihood that service of process will be effectuated. The Judicial Branch currently

authorizes electronic filings as it relates to many civil matters. Those technologies are commonplace in our everyday lives. There is no reason why they should not be adopted and used to provide service, notice and returns of service. In addition, whoever serves process should have access to data bases to ensure a greater number of process is served and served in a safe and efficient manner.

With regard to Section 3 of the bill, local police have training and experience in handling domestic violence cases and more often than not will know the actors involved. They tend to know where the parties live or hang out. Further, the local police will have familiarity with the case and the potential for further violence in those cases where a criminal complaint is made that gives rise to the request for a restraining order.

In conclusion, the Division of Criminal Justice supports H.B. No. 7004 and recommends the Committee's **JOINT FAVORABLE REPORT**. We thank the Committee for affording this opportunity to offer input on this bill.