



## Testimony in Support of

### SB 650, AAC Temporary Restraining Orders

### HB 6848, AA Protecting Victims of Domestic Violence

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#### Judiciary Committee

March 11, 2015

Good morning Senator Coleman, Representative Tong and members of the committee. My name is Angela Schlingheyde and I am the Coordinator of Civil Legal Services at The Center for Family Justice, Inc. located at 753 Fairfield Ave, Bridgeport, Connecticut. We are a dual agency providing comprehensive services to victims of domestic violence and sexual assault in the Bridgeport, Stratford, Trumbull, Fairfield, Easton, and Monroe communities. State Representatives Ben McGorty and Steven Stafstrom, current members of the Judiciary Committee, serve in our area. This past year we served more than 4,000 clients.

We urge your support of Senate Bill 650 and House Bill 6848.

Statistics and recommendations are essential tools to legislative reform, but we should not forget that these laws protect actual people who have been terrorized by someone they love. I would like to take a moment to share with you a story from a recent client.

She came to us because she found herself in an abusive relationship and needed help, but like so many victims of domestic violence, she had no idea where to begin. She was open to the idea of a temporary, ex parte restraining order against her abuser, but she was aware that her abuser had firearms and was terrified to proceed with an order and start the process of separating herself from him. She knew that once he was aware of the order he would be furious and try to retaliate. She feared more than anything that he would come after her with his gun. Ultimately, she applied for the order, but we had to shelter her until the order was granted and the 2 business day waiting period expired. Why should this woman or anyone be forced from their home and feel constantly terrorized? What right does the abuser have to create that terror and constant fear? The right to own a firearm should not outweigh a person's right to personal safety. We have the ability to increase the protection we offer victims of domestic violence and save lives.

*Strengthening families, preventing abuse*





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**SB 650**

**Removal of Firearms**

SB 650 proposes that the court be allowed to remove firearms, ammunition, and gun permits/eligibility certificates during ex parte restraining orders. These orders are intended to give **immediate protection**. The most dangerous time for a victim of domestic violence is when s/he takes steps to end the relationship. Domestic violence is predominantly about power and control of one partner over the other and when the victim disrupts that power and control by attempting to leave the relationship, the offender may take more extreme actions to regain control. This is **exactly** the time that firearms should be removed from the equation. If the judge does not grant a full, one year restraining order at the hearing, the respondent would have their firearms and ammunition returned.

Additionally, we support SB 650's proposals regarding the requirement of law enforcement in serving temporary, ex parte restraining orders when the offender has a firearm or ammunition; to extend the temporary, ex parte order when service cannot be successfully made; to increase the number of Family Violence Victim Advocates in family courts; and to broaden the methods of service by which respondents may be given legal notice of a temporary, ex parte restraining order to include verbal service. All of these proposals offer necessary added protections to victims of domestic violence.

On behalf of The Center for Family Justice, Inc., we thank Senator Looney and all of the bill's co-sponsors for their efforts to support and protect victims of domestic violence.

**HB 6848**

**Removal of Firearms**

HB 6848 also proposes removing the requirement for a hearing in order for individuals to become ineligible to possess firearms and ammunition when they are subject to a restraining order

Ex parte orders are intended to provide **immediate** protection preceding the restraining order hearing, which is typically held 14 days later. This proposal results in someone who has placed a family member in immediate and present physical danger losing their firearm for the two week period covered by the ex parte order.

As state earlier, the most dangerous time for a victim of domestic violence is when she or he takes steps to end the relationship.



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Because domestic violence is all about power and control of one partner over the other, this can be a particularly difficult time for the abuser, who will begin to realize that he or she is losing control of the victim. This may result in the offender taking more extreme actions to regain control and is exactly the reason why firearms should be removed from the equation. If at the two week hearing a judge does not grant a full, one year restraining order, the respondent would have their firearms and ammunition removed.

**Surrender of Firearms**

This bill also proposes reducing the amount of time to surrender or transfer firearms and ammunition. The proposal reduces the time from 2 business days to 24 hours, again increasing protections for victims of domestic violence at the most dangerous time. Again, a gun is easily returned, a life is lost forever.

We thank Governor Malloy for his continued efforts to support and protect victims of domestic violence.

We urge your support of these important measures. Thank you for your consideration.

Angela Schlingheyde

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