



Connecticut Coalition Against Domestic Violence

**Member Organizations**

**The Umbrella Center for Domestic Violence Services**  
Ansonia, CT

**The Center for Family Justice**  
Bridgeport, CT

**Women's Center**  
Danbury, CT

**Domestic Violence Program United Services**  
Dayville, CT

**Network Against Domestic Abuse**  
Enfield, CT

**Domestic Abuse Services Greenwich YWCA**  
Greenwich, CT

**Interval House**  
Hartford, CT

**Meriden-Wallingford Chrysalis**  
Meriden, CT

**New Horizons**  
Middletown, CT

**Prudence Crandall Center**  
New Britain, CT

**The Umbrella Center for Domestic Violence Services**  
New Haven, CT

**Safe Futures**  
New London, CT

**Domestic Violence Crisis Center**  
Norwalk, CT

**Women's Support Services**  
Sharon, CT

**Domestic Violence Crisis Center**  
Stamford, CT

**Susan B. Anthony Project**  
Torrington, CT

**Safe Haven**  
Waterbury, CT

**Domestic Violence Program United Services**  
Willimantic, CT

**Written Testimony Regarding**

**SB 951, AA Consolidating Criminal Justice, Juvenile and Family Service Programs**

**SB 1033, AAC Court Operations**

**Judiciary Committee  
April 1, 2015**

Good morning Senator Coleman, Representative Tong and members of the committee. CT Coalition Against Domestic Violence (CCADV) is the state's leading voice for victims of domestic violence and our 18 member organizations that serve them. Our members provide essential services to nearly 50,000 victims of domestic violence each year. Services provided include 24-hour crisis response, emergency shelter, safety planning, counseling, support groups and court advocacy.

**We urge your careful consideration of both SB 951 and Section 18 of SB 1033 and potential unintended consequences on victims of domestic violence.**

**SB 951**

This bill proposes to transfer the Judicial Branch's Court Support Services Division Family Services Unit into the Department of Children and Families (DCF).

CCADV has had a significant successful history of formal collaborations with Court Support Services Division. In 1986, the Connecticut General Assembly passed the Family Violence Prevention and Response Act that established the Family Violence Intervention Unit in each geographical area court. This unit included Court Support Services (CSSD) Family Services and the local non-profit Family Violence Victim Advocates (FVVAs). The unit assesses family violence cases, makes recommendations to the court, and provides support services and referrals to the victims involved. The working relationships between CSSD and the FVVAs that have developed ensure the continued creation, implementation and revision of policies and procedures for effective cooperation to enhance offender accountability and victim safety.

This structure established through law recognizes that victims need specialized support and advocacy in order to participate in the criminal court system while receiving the individualized protections they need to be safe. The intervention unit handles family violence cases applying a strong victim-focus reinforcing the important connection between confidentiality and victim safety. Both Court Support Services Division and Family Violence Victim Advocates are mandated reporters of child abuse. There are protections for victims regarding confidentiality for both entities. Under C.G.S. 46b-38c "all information provided to a family relations counselor, family relations counselor trainee or family services supervisor employed by the Judicial Department in a local family violence intervention unit shall be used solely for the purposes of preparation of the report and the protective order forms for each case and recommendation of services and shall otherwise be confidential and retained in the files of such unit and not be subject to subpoena or other court process for use in any other proceeding or for any other purpose." For Family Violence Victim Advocates, confidentiality has been established through C.G.S. 52-146k.

A victim's knowledge of their situation with a calculated safety plan often influences who, when, and if they will reach out for help. They must determine and weigh the impact of

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the consequences of their decision to reach out. Victim often struggles with how this will further impact their family's safety and well-being. They anguish over the possibility of being arrested or losing custody of their children, which they are told repeatedly by the abuser will happen if they reach out for help. They fear reporting the domestic violence will automatically trigger involvement with DCF and that their children will be removed from their care and protection.

Reassigning CSSD Family Services into DCF could unintentionally jeopardize victim confidentiality, victim safety and deepen a victim's fear of losing her or his children. Ultimately, this move could create unintended consequences where victims will be even more reluctant to reach out for help and report domestic violence including violations of orders of protection.

### **SB 1033, Section 18**

Section 18 of SB 1033 proposes changes to the statute governing criminal violations of restraining orders for victims of family violence. Individuals who are the subject of a restraining order would no longer be in criminal violation of an order if they serve legal documents on the protected person in "good faith." While we certainly understand the problem that the Judicial Branch is looking to fix, we fear that the language as written will have unintended consequences on some victims by easily allowing for a mechanism by which abusers can continue to harass their victims.

We voiced similar concerns on this proposal last year and we recognize that the Judicial Branch has made an effort to address some of our concerns by including that the legal documents be filed in "good faith." However we are concerned that a determination of whether or not legal documents are served in "good faith" is only determined after said documents are served.

We are also concerned that "third party" is not defined. Domestic violence is a pattern of control, coercion and manipulation. While there is nothing that legally keeps the family and friends of an offender away, we are concerned that adding this language gives domestic violence offenders the ability to use family and friends to continue to intimidate a victim.

It is our experience that most judges who issue no-contact orders will specify that the respondent is allowed to send legal documents related to pending court cases such as separation, divorce, child custody, etc. Individuals who are subject to restraining orders can request a motion to modify from the judge for anything not addressed in the initial order. Allowing judges to clearly state in no-contact restraining orders how and when the respondent may communicate with the protected person is the most efficient way to ensure the safety of the protected person while still ensuring that the subject has an opportunity to make legitimate legal claims and that the court does not get bogged down with frivolous claims of violations. We look forward to working with the proponents of the bill to ensure that everyone's rights are protected.

Thank you for your consideration. Please do not hesitate to contact me with any questions or concerns.

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