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Testimony of
The Permanent Commission on the Status of Women
Submitted to
the Judiciary Committee
March 16, 2015

Re: S.B. 651, An Act Concerning a Temporary Hold for Certain Family Violence Arrestees
S.B. 1087, An Act Concerning Sexual Offender Registration Laws, Residency Restrictions for Registered Sexual Offenders and Reentry Housing
H.B. 7004, An Act Concerning Implementation of the Recommendations of the Task Force to Study Service of Restraining Orders

Senators Coleman and Kissel, Representatives Tong and Rebimbas, and distinguished members of the Judiciary committee, thank you for this opportunity to provide testimony on behalf of the Permanent Commission on the Status of Women (PCSW) in support of S.B. 651, An Act Concerning a Temporary Hold for Certain Family Violence Arrestees, S.B. 1087, An Act Concerning Sexual Offender Registration Laws, Residency Restrictions for Registered Sexual Offenders and Reentry Housing, and H.B. 7004, An Act Concerning Implementation of the Recommendations of the Task Force to Study Service of Restraining Orders.

S.B. 651, An Act Concerning a Temporary Hold for Certain Family Violence Arrestees
H.B. 7004, An Act Concerning Implementation of the Recommendations of the Task Force to Study Service of Restraining Orders

In each year of the 21st century, approximately 1,200 women have been killed by their current or former intimate partner[1] Connecticut averaged 14 intimate partner homicides annually between 2000 and 2012.[2] Thanks to the work of Dr. Jacquelyn Campbell on an instrument that determines the level of danger an abused woman has of being killed by her intimate partner, Connecticut has an opportunity to join at least 6 other states in enacting a public policy that may prevent intimate partner homicide.[3]

[1] Fox & Zawitz, 2004.

[2] Upon Further Examination: 2014 Findings & Recommendations of the Connecticut Domestic Violence Fatality Review Committee. Connecticut Coalition Against Domestic Violence, July 2014.

[3] The Danger Assessment. Johns Hopkins School of Nursing, 2015.

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S.B. 651 would allow certain family violence offenders to be held without bail for 12 hours when certain risk factors are present at the time of arrest or anytime preceding release, the very same lethality risk factors identified in Dr. Campbell's instrument. Currently, when someone suspected of domestic violence is able to make bond, they are released from jail immediately following an arrest. The hours following an arrest of domestic violence can be particularly volatile. S.B. 651 can provide a lifesaving protection against those offenders who are most likely to use fatal violence.

Another important, potentially lifesaving, tool available to victims of domestic violence is a civil restraining order. Unfortunately, both the application process and the service process for a civil restraining order can be arduous and fail to protect women from future violence or death. In 2014, the General Assembly created a Task Force to Study Service of Restraining Orders, to examine and address the shortfalls of the current process. H.B. 7004 includes many of the Task Force's recommendations to improve the restraining order application and service process.

The majority of women applying for civil restraining orders do so without a lawyer. H.B. 7004 would improve the application process by providing a plain language explanation of the restraining order application process, by offering services to those with limited English proficiency, and by ensuring that all documentation obtained from an applicant is clearly and eligibly documented. H.B. 7004 also seeks to improve the restraining order delivery process. Too often, a state marshal, the authorized agent charged with service of restraining orders, is unable to locate the respondent (accused), and so a marshal may choose to leave an ex-parte order at the abode. Unfortunately, when such an order is violated, the state's attorney may not be able to prosecute for the violation because notice of the order may not be able to be proved. H.B. 7004 would allow for verbal notification of an ex-parte order, as is permitted in Massachusetts.

Finally, H.B. 7004 asks that the Chief Court Administrator collect data on the number of restraining orders that are issued, the method of service, and the number of orders that are issued but subsequently vacated because the order cannot be served. The PCSW supports efforts to collect data and continuously improve the restraining order application and service process.

S.B. 1087, An Act Concerning Sexual Offender Registration Laws, Residency Restrictions for Registered Sexual Offenders and Reentry Housing

One in five girls will be the victim of child sexual abuse and one in five women will be the victim of sexual assault during their lifetime. [4] While both men and women can be the victim of sexual violence, a woman overwhelming experiences sexual violence at the hands of a man, most often a man she knows and/or trusts. In order to prevent and end sexual violence, we must challenge cultural norms that perpetuate victim blaming and address the many misconceptions about who sexual offenders are and how they perpetrate violence against women.

While well intentioned, the provision in S.B. 1087 to establish residency restrictions would create negative unintended consequences; including misconceptions about sexual offenders as predatory strangers and an increased risk of re-offense. Connecticut already has an innovative treatment model for post-conviction sexual offenders. Every offender undergoes a comprehensive risk assessment before being released into the community, and supervising officers work with Connecticut Sexual Assault Crisis Services (CONNSACS) victim advocates and treatment providers to monitor an offenders progress. Many offenders have their housing approved as a condition of release, so particularly dangerous offenders who pose a risk to children are already

[4] The National Center for Victims of Crime, 2015.

prohibited from living near schools, parks, day care centers, and other places where children congregate. Other states that have enacted residency restrictions for all sexual offenders, have actually been shown to reduce public safety by prompting some sex offenders to stop registering, driving them underground, where probation and parole cannot monitor them.[5]

S.B. 1087 also addresses reforms to Connecticut's current sexual offender registry. It is never the responsibility of a woman to protect herself against sexual violence, but the sexual offender registry could be a tool to identify and reduce risk. In its current form, the sexual offender registry doesn't provide enough information about an offender's sexual offense and many sexual offenders can plea off the sexual offender registry. The PCSW would support further study about how best to reform Connecticut's sexual offender registry, by maintaining victim confidentiality and establishing a more accurate depiction of offender risk. We feel that it is premature to make major policy shifts without additional study and we would welcome being part of future discussions.

Thank you for your thoughtful consideration of these important issues.

[5] US: Sex Offender Laws May Do More Harm Than Good. Human Rights Watch, September 2007.