

Mary-Jane Foster
40 Anchorage Drive
Bridgeport, CT 06605
203-209-7510
foster.maryjane@gmail.com

**Testimony in Support of
SB 650, AAC Temporary Restraining Orders
HB 6848 AA Protecting Victims of Domestic Violence**

**Judiciary Committee
March 11, 2015**

Thank you for the opportunity to express my views on these very important bills. As prelude, I have been involved in domestic violence and sexual assault work for 25 years. I began as a volunteer at the YWCA in Bridgeport (now The Center for Family Justice). I became a certified domestic violence counselor and accompanied applicants for temporary restraining orders to court. My work with these victims lead me to law school and then to my own practice where I represented victims of domestic violence on a variety of matters, including temporary restraining orders. I am now an administrator at the University of Bridgeport, but I will never forget the many clients I worked with or their stories.

Historically, statistics show that a victim of domestic violence, male or female, will return to their batterer 7 times before actually leaving. I had many opportunities to hear the stories of victims and I will tell you that, almost without exception, two threats moved them to finally flee: threats to their children and threats of use of firearms—firearms these victims knew were in the house or accessible to their batterer. Statistics and news reports also tell us that the most dangerous time in a victim's cycle is when she or he leaves. Remember the secretary at a synagogue in Westport who was shot dead at her desk by her husband shortly after filing for divorce, remember the twins in the home in Oxford when their father shot and killed their mother and seriously injured their grandmother or remember the 10 year old who ran screaming to the neighbors as her father shot and shot and shot her mother to death the morning after she asked for a divorce? I had a client from Trumbull who had 3 children and told her abusive husband that she was leaving. He opened a closet door to show her all of the guns he owned. He told her you and all of our children will die.

SB 650 reflects the best thinking and work of the legislative Task Force to Study Service of Restraining Orders. The recommendations will close gaps and provide safeguards to victims without significant impact to the respondent. Service of process is often difficult in domestic violence cases, most notably when a respondent is aware that it may be coming. This bill will allow victims to extend temporary, ex parte restraining orders at the two week hearing if the order has not yet been served. There is precedent for this in 22 states. I can tell you from personal experience, the hopelessness victims feel when an ex parte order must be dropped and she or he must reapply and begin a very painful process all over again is palpable—and it's avoidable if this bill is passed. This

bill also provides expanding the methods by which respondents may be given legal notice of ex parte restraining orders.

Finally, **SB 650 and HB 6848** propose removal of firearms and ammunition in a respondent's possession during the ex parte restraining order period. An ex parte restraining order is issued when a victim believes and a judge finds that she or he is in imminent danger. The stories above illustrate what happens when firearms and ammunition are left in a respondent's possession. The time between the ex parte order and the hearing is just two weeks—two weeks that can save a woman or man's life and of course, keep children out of harm's way too. The bill will also shorten the amount of time a respondent has to surrender or transfer firearms and ammunition. Timely and effective protection for those in danger. If, two weeks later when a hearing is held, the judge does not issue a one year restraining order, the firearms and ammunition are returned.

I urge you to move these two bills forward. The provisions have been carefully considered, narrowly crafted and will do so much to protect victims of domestic violence and their children. I would like to thank Governor Dan Malloy for his ongoing commitment to this issue, to Senator Looney for his leadership and all of the co-sponsors for their work. Lastly, I would like to say thank you to the legislature for its work through the Committee on Domestic Violence over the last year.