Testimony regarding

HB 5054, AA Protecting Victims of Domestic Violence
HB 5597, AA Protecting Victims of Domestic Violence Seeking Restraining Orders

Judiciary Committee
March 14, 2016

Good morning Senator Coleman, Representative Tong, Representative Fritz, Representative Adinolfi and members of the committee. Chrysalis Domestic Violence Services provided life-saving services to over 1600 in FY 2015. Service provided include 24hr hotline, Safety Planning, Shelter, Transitional Housing, Counseling, Child Advocacy, Systems Advocacy, Civil Advocacy, Family Violence Victim Advocacy, and Support Group. We serve victims and their children in the towns of Meriden and Wallingford CT

HB 5054

We urge your support of HB 5054, which will provide the most comprehensive protection for victims of domestic violence at the most dangerous time and strengthen processes within a system designed to help them.

The goal is to protect victims of domestic violence when they are most vulnerable by temporarily removing firearms from their abuser. The bill also addresses several recommendations of the Task Force to Study Service of Restraining Orders established pursuant Public Act 14-217.

The most dangerous time for a victim of domestic violence is when she or he takes steps to end the relationship.[i] As the dynamic of domestic violence is power and control, once the abuser realizes that they are losing control over their intimate partner, often the offender engages in more extreme actions to regain control.

Evidence-based research has shown that domestic assaults that involve firearms are 12 times more likely to result in death than those involving other weapons or bodily force.[ii] And women in an abusive relationship are 5 times more likely to be killed if their abuser has access to a firearm.[iii] If state laws prohibit firearm possession by persons subject to restraining orders, this will reduce rates of intimate partner homicide of women by 12-13%; decreasing overall intimate partner homicides by 10%.[iv] Finally, at least 20 other states have given their courts explicit authority to temporarily remove firearms from some or all individuals subject to ex parte restraining orders.[v]

Connecticut has seen an average of 14 intimate partner homicides annually since 2000 and firearms are the most commonly used weapon in those homicides (39%).[vi] The state has a vested interest in protecting the lives of victims of domestic violence. Not extending the same prohibition during the temporary order, which is the most dangerous period of time for a victim, is a serious gap in our laws. If this measure saves just one life by requiring the temporary, two week removal of firearms during an ex parte restraining order, then we believe it deserves the full support of the General Assembly.

HB 5597

We urge your rejection of HB 5597, which, though well-intentioned, poses an unnecessary risk to victims of domestic violence.

House Bill 5597 seeks to protect victims of domestic violence from gun violence by requiring the use of a risk warrant, when a victim applying for a civil restraining order elects to state that she or he believes that a family or household member poses a risk of imminent personal injury to them. While we appreciate the intent of the proponents of HB 5597, we firmly believe that comprehensive protection through the state's civil restraining order, similar to the policies of 20 other states, remains the most commonsense practice in protecting victims of domestic violence; there are potential risk posed by the bill's specific language.

Chrysalis Domestic Violence Services provides support to over 1600 domestic violence clients annually, and often we are working with victims that have been threatened with a weapon, including a firearm. In these cases extensive safety planning is necessary; in some instances we have had to advocate for out of state relocation when the threat of lethality is of high risk.

As the bill is written; once the victim chooses to state that she or he believes the respondent "poses a risk of imminent personal injury" to them, the court must automatically begin the risk warrant process. Unfortunately, the state only provides funding for Family Violence Victim Advocates in 4 civil courts throughout the state. It is unclear if there will be anyone to explain to the victim what a risk warrant is or the process that it entails and more specifically the amount of time the process will take. Victims seek out a civil order with the understanding that the police will not be involved. It is unlikely that any victim completing an application for a restraining order would not otherwise be consider "imminent risk," as this is the standard for a temporary restraining order. With this proposed bill, victims may unknowingly trigger police involvement, including a full search of the respondent's home. Such a process may easily entice their abuser and increase the possibility for retaliation. We cannot overstate the risk associated with this well-intentioned proposal. We urge the rejection of this measure.

Specifically, Chrysalis Domestic Violence Services worked with a victim whose abuser had made threats of gun violence via text message and social media. These threats were made directly after the victim had made the decision to end the relationship. She received pictures of a man's hand with a gun, and other messages implying that there was going to be trouble. This victim was extremely fearful of her safety and the safety of her children. The victim brought this information to the police department and they had stated that she did not have enough evidence for them to make an arrest because his messages were not specific threats. The victim was dually concerned as the abuser had been convicted of felonies in the past and had served jail time. With good intention the police department called the abuser to "stop bothering and texting the victim". This action enraged the abuser and he came to the victim's home and confronted the victim, began destroying her belongings, and stated to her that he was not afraid of going back to jail. She was hesitant in bringing the information back to the police as she did not want to escalate the situation any further. The victim at that point had reach to our agency for support. Through extensive safety planning Chrysalis helped her relocate to an affordable housing, provided some short term financial assistance, and referred the client for legal support to file for custody of their children. Additionally the client received counseling services from a sister domestic violence center as there was a personal connection with our adult advocate.

Please do not hesitate to contact me with any questions or concerns.

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[i] Campbell, JC, et al. 2003. "Risk Factors for Femicide in Abusive Relationships: Results from a Multistate Case Control Study." *American Journal of Public Health*. 93(7): 1092.
[ii] Center for Gun Policy and Research. "Intimate Partner Violence and Firearms." Johns Hopkins Bloomberg School of Public Health, citing Saltzman LE, et al, 1992. "Weapon Involvement and Injury Outcomes in Family and Intimate Assaults." *Journal of the American Medical Association*. 41(2): 281-83.
[iii] Supra note 3
[iv] Vigdor ER, Mercy JA. 2006. "Do Laws Restricting Access to Firearms by Domestic Violence Offenders Prevent Intimate Partner Homicide?" *Evaluation Review*. 30:313-46.
[v] Arizona, California, Hawaii, Illinois, Maine, Massachusetts, Michigan, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Pennsylvania, Texas, Utah, Virginia, Washington, West Virginia.
[vi] Connecticut State Police Crimes Analysis Unit; http://www.dps-data.ct.gov/dps/ucr/ucr.aspx.