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Testimony of Natasha M. Pierre, Esq., State Victim Advocate  
Submitted to the Judiciary Committee  
Monday, February 29, 2016

Good morning Senator Coleman, Representative Tong and distinguished members of the Judiciary Committee. For the record, my name is Natasha Pierre and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony concerning:

House Bill No. 5366, An Act Concerning Court Operations

In 2011, the Connecticut General Assembly amended the definition of “family or household member” (pursuant to C.G.S. § 46b-38a(2)) by adding “regardless of the age of such person” to ensure that any person, including a person under the age of 18, could seek relief from abuse against another family or household member<sup>1</sup>. While the intent of the legislature in 2011, was to allow for persons under 18 to seek such relief, the Office of the Victim Advocate (OVA) understands the dilemma faced by judges when a person under the age of 18 makes an application for relief from abuse against a family or household member. The OVA applauds the work of the Task Force to Study the Statewide Response to Minors Exposed to Domestic Violence (Task Force) and their efforts to improve the process of obtaining a restraining order. The OVA also appreciates the Judicial Branch’s willingness to work with the OVA to ensure that, despite the age of the applicant of a restraining order or civil protection order, applicants are not unduly burdened through the application process.

Sections 3 and 4 of House Bill No. 5366 proposes to require a parent, guardian or a responsible adult as next friend to make the application for relief from abuse on behalf of the minor applicant. The OVA respectfully requests that the Committee amend Sections 3 and 4 to add the following language which was worked out with the Judicial Branch:

On line 78, after “age,” insert “unless legally emancipated, pursuant to C.G.S. § 46b-150” and on line 153, after “age,” insert “unless legally emancipated, pursuant to C.G.S. § 46b-150”

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<sup>1</sup> Public Act No. 11-152

This amended language will ensure that a minor applicant that has been legally emancipated is not required to have a parent, guardian or responsible adult as next friend make the application on their behalf.

Additionally, the OVA is supportive of the expansion of information that may be available to the court when considering an application for relief from abuse as proposed in Section 3. The information will include any existing or prior orders of protection; information on pending or past criminal cases in which the respondent was arrested or convicted of a violent crime; any outstanding arrest warrant for the respondent; and the respondent's level of risk based on a risk assessment tool. The more information available to the court, the better informed the court will be when deciding whether to grant the relief and what conditions of relief are appropriate and necessary for the protection of the applicant.

Every now and then, unintended consequences are revealed that serve to contradict the intended purpose of a proposal. The OVA does recognize that Sections 3 and 4, if passed and implemented, may result in one or more unintended consequences. However, it is my understanding that this recognition was also realized by the Task Force, and in response, through a working group, will monitor the implementation of the proposal to expeditiously identify any potentially negative ramifications.

I urge the Committee's favorable report of House Bill No. 5366, with the recommended changes as proposed by the OVA and Judicial Branch. Thank you for consideration of my testimony.