

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: SB-5

AN ACT STRENGTHENING THE PROTECTIONS AGAINST AND RESPONSE

Title: TO DOMESTIC VIOLENCE.

Vote Date: 3/27/2023

Vote Action: Joint Favorable

PH Date: 3/22/2023

File No.:

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SPONSORS OF BILL:

Judiciary Committee

REASONS FOR BILL:

The intent of the bill is to provide greater protections for and enhanced responses to individuals involved in domestic and intimate partner violence.

RESPONSE FROM ADMINISTRATION/AGENCY:

State of Connecticut Judicial Branch, External Affairs Division: The Division takes no position on the bill but is responding to two implementation issues. The bill proposes to expand the Alert Notification/GPS pilot program to all judicial districts. The Judicial Branch currently operates this program in three court locations – Bridgeport, Danielson, and Hartford. The Judicial Branch envisions expansion of the domestic violence GPS program statewide, which is labor and time intensive, to have a 2-year implementation process. They add that it is critical for the program to receive predictable annual funding to ensure success. They include an estimated cost of \$2,555,482 for FY24 and \$4,528,089 for FY25.

NATURE AND SOURCES OF SUPPORT:

Thirteen organizations testified in support of this bill, stating that the bill will serve to further assist those experiencing domestic or intimate partner violence and will help save lives. The bill expands the GPS program for domestic violence offenders, eliminates the possibility of alimony for domestic violence offenders who have been convicted of certain crimes, increases State funding to help offset the losses from VOCA grants, and requires the Connecticut Bar Foundation to submit a report on the potential statewide expansion of the

grant program which will provide legal assistance to indigent restraining order applicants. They provide a breakdown of the bill as follows:

Section 1 of this bill proposes statewide expansion of the state's domestic violence offender electronic monitoring program, which the Judicial Branch Court Support Services Division Family Services Unit has been operating at three sites – Bridgeport, Danielson, Hartford GA courts – since 2010. The program is focused on monitoring offenders who have been charged with violation of a restraining or protective order, or those determined to be a high-risk offender by Family Services. The monitoring program provides value to the state's overall response to domestic violence.

Section 2 of the bill seeks to prohibit abusers convicted of attempted murder, conspiracy to commit murder, or certain other Class A or B felonies designated as sexual or family violence against their spouse, from receiving alimony from their victims. Prohibiting an offender from receiving alimony in these instances will benefit victims of domestic violence by eliminating the fear to leave an abusive relationship for certain victims, allowing funds to remain at the disposal of the victim to support themselves and their children, and eliminating litigation costs to the victims. The existing language in CGS §46b-82 leaves it to the discretion of the court in entering alimony awards weighing stated factors. There are situations where an award of alimony should simply never be considered by the court, and this proposal removes those situations from the court's discretion. The prohibition of an alimony award is not sought to limit any power of the court, but rather to eliminate the power of those convicted of the enumerated crimes from continuing to abuse their victim by use of the legal system.

Sections 3 and 4 of the bill proposes that funding be allocated to the Judicial Branch in both FY24 and FY25 to address an ongoing federal funding issue facing all victim service providers in Connecticut. Like all states, Connecticut is continuing to face a 50% reduction in federal Victims of Crime Act (VOCA) grants. In his budget proposal, Governor Lamont did allocate \$13,175,000 in FY24 from the Coronavirus State Fiscal Recovery Fund (CSFRF) to the Judicial Branch to offset these continued reductions in VOCA funding.

Sections 5 – 7 of the bill addresses annual funding for domestic violence child & family advocates through the Department of Social Services (DSS) that the General Assembly first provided in last year's budget adjustments. We believe this amount was reflected in the base amount of the "domestic violence shelter" line item in the DSS budget in the Governor's proposal. The funding provided in last year's budget adjustments represented the first time the state has ever funded these essential positions. The funding provided in these sections take effect in June 2024 and June 2025.

Section 8 of the bill requires the CT Bar Foundation to submit a report on the potential statewide expansion of the grant program to provide legal assistance to indigent restraining order applicants. Lawyers play an integral role in guiding victims through the process so that they may achieve the best outcome to protect their safety.

- Christine Foster, Director of Crisis Counseling, Safe Futures
- Jeanne Fusco, Executive Director, Susan B. Anthony Project
- Mary Lee Kiernan, CEO and President, YWCA Greenwich

- Angela Schlingheyde, Director of Legal-Court Services, The Center for Family Justice
- Mary-Jane Foster, President and CEO, Hartford Interval House
- Marie Kenny, Director of Client Access, Safe Futures
- Lee Schlesinger, Executive Director, Safe Haven of Greater Waterbury
- Heather Victoria, Division Director, United Services, Inc.
- Michele Voight, Co-founder and CEO, Violent Crime Survivors
- Jamey Bell, Greater Hartford Legal Aid
- Alexis Smith, New Haven Legal Assistance Association, Inc.
- Deborah Witkin, Connecticut Legal Services
- Megan Baker, Lead AAPI Policy Analyst, The Commission on Women, Children, Seniors, Equity and Opportunity (CWCSEO) and Rosemary Lopez, Women's Policy Analyst, CWCSEO
- Matt Austin, Director of Community Impact, The Center for Empowerment and Education
- Meghan Scanlon, President and CEO, Connecticut Coalition Against Domestic Violence
- Roberta Cook, President and CEO, BHcare
- Zahria Cooper, Family Violence Victim Advocate, Prudence Crandall Center
- Linda Ciano, Director of Community Engagement, Women's Support Services

Senator Martin Looney, Connecticut General Assembly: He testified in support of the bill stating that it will serve to further assist those experiencing domestic or intimate partner violence and will help save lives. The bill expands the GPS program for domestic violence offenders, eliminates the possibility of alimony for domestic violence offenders who have been convicted of certain crimes, increases State funding to help offset the losses from VOCA grants, and requires the Connecticut Bar Foundation to submit a report on the potential statewide expansion of the grant program which will provide legal assistance to indigent restraining order applicants.

Connecticut Senate Democrat Office: They submitted testimony in support of the bill stating that it will serve to further assist those experiencing domestic or intimate partner violence and will help save lives. The bill expands the GPS program for domestic violence offenders, eliminates the possibility of alimony for domestic violence offenders who have

been convicted of certain crimes, increases State funding to help offset the losses from VOCA grants, and requires the Connecticut Bar Foundation to submit a report on the potential statewide expansion of the grant program which will provide legal assistance to indigent restraining order applicants.

NATURE AND SOURCES OF OPPOSITION:

Jess Zaccagnino, Policy Counsel, ACLU: The testifier opposes Section 1 of the bill, which expands (statewide) the GPS electronic monitoring system for certain domestic violence offenders. She states that electronic monitoring does not lower incarceration rates, is not rehabilitative and is not cost effective. Instead, she urges the General Assembly to provide more funding for social service programs that help domestic violence survivors, to protect victims of domestic violence from housing discrimination and to further invest in violence prevention programs that cultivate healthy, safe relationships.

Reported by: Jennifer Albrecht

Date: March 30, 2023