

The Connecticut General Assembly



Domestic Violence Criminal Justice Response and Enhancement Advisory Council Arrest Warrants & Orders of Protection: Compliance, Enforcement & Outcomes

MEETING MINUTES Wednesday, May 21, 2024

ATTENDANCE: Joe DiTunno, Honorable Kevin C. Doyle, Atty. Gail P. Hardy, Shauna Harrington, Mary Kozicki, Merit Lajoie, Capt. Heather LaRock, Lt. Ryan Maynard, Andrea O'Connor, Atty. Nancy Tyler, Rep. Tammy Nuccio, CJ Forcier, GERALYN O'NEIL-WILD

- I. **CALL TO ORDER**
Chairwoman O'Neil-Wild called the meeting to order at 11:05 am.
- II. **WELCOME AND INTRODUCTION OF SUBCOMMITTEE MEMBERS**
Welcoming remarks and members introduced themselves.
- III. **MEETING MINUTES APPROVAL**
A motion was made to approve the May 22nd meeting minutes from Merit Lajoie, seconded by Charles Forcier, and unanimously approved.
- IV. **ARREST WARRANTS:
FOLLOW-UP DISCUSSION FROM FEBRUARY PRESENTATION:
LAW ENFORCEMENT RESPONSE TO A DOMESTIC VIOLENCE CALL**
Members engaged in a follow-up discussion from the May meeting presentation regarding law enforcement response and arrest warrants.

Discussion

- Warrants should not be accumulating waiting for sweeps.
- The Office of the Chief State's Attorney (CSAO) queried local offices regarding how warrants submitted are being tracked including if a warrant needs corrections or additional information from law enforcement how are the warrants getting back to court. All 13 Judicial Districts (JD) have a policy regarding how soon prosecutors are to review warrants and get back to police to serve. Most JDs have a separate basket dedicated to domestic violence warrants. In some jurisdictions law enforcement are required to wait for a warrant. With warrants that need corrections there is more of a

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difference across the 13 JDs. Some prosecutors follow up with law enforcement making sure the corrections are made. Others leave it to law enforcement to make the corrections and return the warrant.

- Question asked due to the shortage of staff and turnover, do the JDs have a dedicated prosecutor to review and handle warrants?
 - All prosecutors in the geographical court location (GA) can review.
 - GA 23 New Haven there are a few domestic violence (DV) prosecutors and any DV warrant goes to the GA prosecutor.
- Some challenges come up in more complicated cases including if there is a signed statement by the complainant available for the prosecutor to review with the warrant.
- Law enforcement agencies have differing practices regarding warrants including submitting, correcting, follow-up, and serving.
 - Suggestion that it may be helpful to address process in the Law Enforcement Model policy.
- Connecticut Information Sharing System (CISS) the result of P.A. 08-01 which expanded the previous criminal justice information sharing process. This system can strengthen communication and improve sharing of information across systems and managing of data on crime and criminal offenders.
 - Currently the expansion to all GA locations has been limited as well as criminal justice stakeholder access to CISS.
 - Discussed possibility of a CISS presentation to the subcommittee
- Question as to what the service of warrants process looks like currently.
 - Process varies
 - Department prioritize crimes and violations.
 - Warrants should be attempted to be served the next day.
 - In serious cases warrant may be assigned to someone else to serve and sometimes there are multiple attempts
 - Some departments a supervisor monitors the status of the warrant.
- Violation of a protection order – violation of protective order can be a class D or C felony. Do not see many C felonies which would involve violence such as imposing restraint on a person or their liberty, threatening, harassing, assault, sex assault, molestation, or attack of a victim.
 - Most violations seen by law enforcement are non-violent contact such as text message, phone calls...
 - Not reflected in the model policy for Police Response to Crimes of Family Violence
 - Need information from prosecutors as to what they are seeing in violations of orders of protection – if violent based contact or phone and messaging
 - Who determines level C or D?
 - Most DV cases come in as an onsite arrest in response to a DV call.
 - When defendant is not on scene there is a warrant that comes thru court with charges listed on the information sheet. Prosecutors review and determine if charges should be added or

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sub down. This is addressed when the warrant comes through court and at arraignment.

- Question how can violations be taken more seriously? offenders are arrested for violations and keep getting out.
- Discussed bail/ bond process - the following information is taken into consideration when setting bond: criminal record, ties to the area, employment, seriousness of the incident...
 - At arraignment bail makes recommendations to the court, prosecutors will either agree or argue for an increase and defense may argue for bond to be reduced.
 - Judge will then determine bond and they must follow the laws – interpret the law and balance decisions – many factors go into a judge’s decision whether to hold someone or the defendant can make bond.

V. UPDATES AND OTHER BUSINESS

Follow-up regarding previous discussion on orders of protection and a victim’s address – CSAO spoke with local GA staff to discuss the different ways GAs are handling crucial information such as victims’ addresses. Waterbury GA 4 developed a form with the victim address provided to the clerk only, not on the PO document and solely for the purpose of being put into the PO registry which is not public information. The CSAO and the Office of the Victim Advocate (OVA) met to discuss a case in Stamford GA 1 and the process for handling victim addresses related to POs. GA 1 created a similar form to GA 4 in response to the concern that victims may not want to provide their address for safety reasons. CSAO also met with officials from Judicial and collectively they are working on identifying a system available statewide in the coming month or two.

Another discussion came up related to modifications of POs and how they are handled differently across the State and sometimes even within the same jurisdiction whether the modification request is to modify the order up or down, who can request or file a motion to modify, and how is meaningful victim notification occurring. Modifications are a complex process and victim safety needs to be considered in all cases. It is important to collaborate with the Family Violence Victim Advocates (FVVAs) as they are best situated to discuss victims’ concerns including coercion, the pros, and cons of modifying an order and help victims to develop and modify safety plans.

VI. NEXT MEETING

Next meeting scheduled for June 18th 11:00 am pending availability with the Judiciary Committee Administrator.

VII. ADJOURNMENT

Motion to adjourn made by Chairwoman Hardy, and seconded by Merit Lajoie, and unanimously approved. The meeting was adjourned at 12:42 pm.