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State Victim Advocate

Testimony of Natasha M. Pierre, Esq., State Victim Advocate
Submitted to the Judiciary Committee
Wednesday, March 11, 2015

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:

Senate Bill No. 650, *An Act Concerning Temporary Restraining Orders*
Governor's Bill No. 6848, *An Act Protecting Victims of Domestic Violence*

The Office of the Victim Advocate fully supports Senate Bill No. 650 and Governor's Bill No. 6848 as the proposals will offer meaningful protection to victims of domestic violence, especially those victims who are trying to leave an abusive relationship.

While the issuance of a temporary restraining order has the intended purpose of providing protection against abuse to a named applicant, this process may very well put an applicant at further risk of harm as the respondent feels the loss of power and control over the applicant. The fact that the victim has sought protection from abuse is a well-known risk factor for potential danger.

The Judicial Branch statistics[1] report 8,669 applications for a restraining order in 2014. In 4,409 cases (just over 50%), a temporary ex-parte restraining order was issued by the court. Moreover, after the hearing on the temporary ex-parte restraining order, 2,445 (55%) restraining orders were extended for one year.

Once a temporary ex-parte restraining order has been issued, it is the responsibility of the applicant to notify a state marshal to coordinate service of the order to the respondent. The marshal must then serve the order, and notify the court of service, no later than five days before the scheduled hearing. If service has not been made within the time frame, the applicant must start the process all over again. This process can be a daunting task, not only for the applicant who may also be in the throes of turmoil, but also the marshal who may be unable to locate the respondent. It can be especially difficult in cases where the respondent

[1] http://www.jud.ct.gov/statistics/prot_restrain/

may be purposefully avoiding service by the marshal. In such circumstances, the proposal will provide additional methods for a sworn police officer to give a respondent legal notice of the order.

Senate Bill No. 650 will improve the application and service process as it will allow the court to extend a temporary restraining order if the applicant is present for the subsequent hearing but the order has not yet been served. Further, in cases where the applicant has indicated on the application that the respondent has access to a firearm or ammunition, the proposal will require a sworn police officer to provide service of the order and will allow the court to order the respondent to temporarily transfer, deliver or surrender all firearms and ammunition that he or she possesses, along with any permit or eligibility certificate. Sworn police officers are sometimes in the best position to serve such orders as they know the communities they serve, and are able to take possession of any firearms or ammunition immediately.

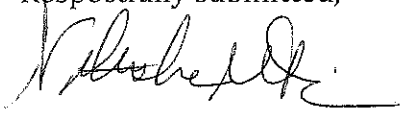
A critical component to a domestic violence victim's safety is the development of an individual safety plan. Whether that safety plan includes seeking emergency shelter, obtaining temporary custody of minor children or making an application for a restraining order, victims of domestic violence must have access to the assistance of a domestic violence victim advocate. Senate Bill No. 650 will increase access to these advocates to ensure that victims connect with crucial support services, including safety planning.

Governor's Bill No. 6848 will require any person that has been provided notice that they are the subject of a restraining order, protective order or foreign order of protection, to immediately, but in no event more than 24 hours, transfer or surrender any firearms or ammunition in their possession. Any delay in the transfer or surrender of firearms may have deadly consequences, as we've sadly witnessed in our own state.

The OVA strongly encourages the Committee's favorable report of Senate Bill No. 650 and Governor's Bill No. 6848. Together the proposals will strengthen a, sometimes arduous, process for a victim of domestic violence as they seek protection and safety from abuse.

Thank you for consideration of my testimony.

Respectfully submitted,



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