

2008 Legislative Session Report



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Connecticut Coalition Against Domestic Violence 2008 Legislative Session Report

This report is being issued for use by Connecticut Coalition Against Domestic Violence (CCADV) Board of Directors, staff, member programs and many supporters. Its purpose is to inform you about any proposed legislation during the 2008 session that may impact victims of domestic violence and the people and organizations that serve them.

Included in this report is a chart detailing proposed legislation that CCADV either supported or tracked this legislative session and a copy of all related bills that passed both the House and Senate.

This year, CCADV had two main items on their legislative agenda:

1. 24/7 on site staffing for domestic violence shelters

This is the seventh year of CCADV's effort to obtain funding to support the operation of our emergency shelters.

The legislative plan was launched on October 1, 2007. CCADV held their annual Domestic Violence Awareness Month campaign kick-off. Guest speakers Gloria Steinem and Speaker of the House James Amann spoke in support of the campaign as well as the need for round the clock coverage at our emergency shelters.

In November 2007, Kimberly Harrison, Maureen Gillis and Linda Blozie met with Speaker of the House James Amann and Representative Denise Merrill (co-chair of Appropriations Committee) to map out a strategy for success in the upcoming session. It was suggested that a bill be introduced mandating domestic violence shelters to have on site staff 24 hours a day. The legislators attending the meeting felt this would be the most effective way to insure some type of allocation to the member programs. CCADV worked with Speaker Amann's office to craft an appropriate request.

Also in November, Linda Blozie testified about the need for 24 hour coverage before the Sentencing and Parole Review Task Force and the Judiciary Committee's public hearing on the proposed Act Concerning Home Invasion, Career Criminals, Community Supervision and Information Sharing Resources.

During the session, Speaker of the House James Amman once again championed our cause. CCADV worked throughout the session with his staff and with his support, we were more hopeful about the possibilities of receiving some increased funding.

On February 14, 2008, Speaker Amann held a press conference and passionately spoke about the need to keep victims safe 24 hours a day. Representative Denise Merrill, Representative Karen Jarmoc, Lisa Holden, Jason Robinson and an anonymous domestic violence survivor all spoke in support of 24 hour coverage. The event was well covered by the press.

In February, House Bill 5622: An Act Concerning Expansion of Shelter Services for Victims of Household Abuse was introduced in the Human Services Committee. At the same time, House Bill 5836: An Act Concerning Staffing at Domestic Violence Shelters was introduced in the Judiciary Committee.

At both public hearings, many individuals testified in person about the urgent need for 24 hour on site services. Numerous pieces of written testimony were also supplied by the membership. Only the Human Services bill passed out of committee. Once it passed out of the committee, a meeting was held with Senator Edith Prague (Co-Chair of the Human Services Sub-Committee of Appropriations) to solicit her support as well as with the Co-Chair of Appropriations, Representative Denise Merrill.

Meanwhile, at the Appropriations Committee, Human Services Subcommittee public hearing, six individuals, including a mix of survivors, advocates, executive directors and other supportive organizations testified about the urgent need for 24 hour on site services.

At the same time, legislative liaisons went to the Capitol monthly to educate their legislators on the need for such services. The liaisons distributed over 2,500 postcards to our supporters asking them to contact their senators and representatives in support of our request for funding. Over 1,700 contacts were made via telephone, email and mail urging legislators to allocate funding. Invitations were also extended to legislators to tour their local shelter. To further support this effort, the press ran numerous articles on the need for 24 hour staffing.

When the budget came out of the Appropriations Committee, there was \$1 million allocated to support 24 hour coverage. At the same time, we saw a healthy budget surplus rapidly diminish. After countless hours of advocacy, the legislature voted not to make any changes to the budget that was already in place. This budget annualized the \$500,000 allocation from 2005 but did not add any new funding towards 24 hour on site services at domestic violence shelters.

2. Funding for Docket Courts

This year, CCADV also attempted to secure funding for the specialized Docket Advocates working in the New Britain, New London and Norwalk courts. We were seeking \$150,000 in new funding. At the public hearing, Lisa Holden, along with executive directors, VALE advocates and family violence victim advocates from our member programs testified in support of this request. They detailed the operation of Docket Courts and the positive impact this has had on victims of domestic violence.

At the local level, our member programs contacted their legislators, wrote articles and editorials for their local newspapers while urging our allies to speak out.

Additional conversations were held with Judicial Branch personnel to encourage them to put our request in the budget. While the Governor's budget had allocated funding for the docket courts, by the close of the session, no funding was allocated in the budget to support the Docket Advocates.

CCADV would like to recognize and thank the following individuals and countless others whose time and talents were contributed during this legislative session:

Kimberly Harrison: CCADV Lobbyist

Public Policy Committee:

Barbara Bellucci	Sandy Koorejian
Linda Blozie	Penni Micca
Lauren Clarke	Amanda Posila
Cecile Enrico	Kimberly Selander
Trish Froehlich, Chair	Lisa Thompson
Lisa Holden	Chief Beau Thurnauer
Attorney Bernard Jacques	Cathy Zeiner

Legislative Liaisons:

Gary Barr	Naomi Otano
Diane Boylan	Tracey Parks
Melanie Danyliw	Kristen Pavlik
Jessica Dolan	Amanda Posila
Tonya Grant	Dawn Quint
Tammy Klimas	Kim Selander
Dianna Langston	Judy Sheridan
Michelle Marone	Jamie Spotten
Tracy Messervy	Lisa Thompson
Penni Micca	Deb Talmadge
Lourdes Montalvo	Mia Weinburg

Interns:

Alyssa Adams	Jessica Fenner
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Bill Synopsis

Bill #	Title	Purpose	Committee	Status	CCADV Position
SB 642	An Act Concerning the Availability of Victim Advocates in Courthouses	To require the assignment of at least one victim advocate to each judicial district courthouse and geographical area courthouse.	Judiciary	Died in Committee	Support
HB 5033	An Act Concerning Sexual Offenders Name Change	To prohibit any person required to register as a sex offender from changing their name.	Judiciary	Passed the Legislature, Governor signed on 5/12/08 as Public Act 08-54	Support
HB 5622	An Act Concerning Expansion of Shelter Services for Victims of Household Abuse	To expand the program for shelter services to include access to host homes and motels and referrals to long-term shelters and provide additional funding for legal services in domestic relations matters for indigent persons.	Human Services	Voted out of Human Services Committee, sent to Appropriations Committee, \$1 million allocated in proposed budget, proposed budget was never approved	Support
HB 5722	An Act Concerning Protective Orders And Court Services for Crime Victims	To provide for the issuance of a protective order with respect to certain sexual assault charges, and to require the Office of the Chief Court Administrator to evaluate the need for court services and programs specific to crime victims.	Judiciary	Passed the Legislature, Governor signed on 5/21/08 as Public Act 08-84	Support
HB 5836	An Act Concerning Staffing at Domestic Violence Shelters	To provide funding for increased access to services for victims of domestic violence.	Judiciary	Died in Committee but \$1 million put in proposed budget	Support



Substitute House Bill No. 5033

Public Act No. 08-54

AN ACT CONCERNING SEXUAL OFFENDER NAME CHANGES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 45a-99 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The courts of probate shall have concurrent jurisdiction with the Superior Court, as provided in section 52-11, as amended by this act, to grant a change of name, except a change of name granted in accordance with subsection (a) of section 46b-63, except that no court of probate may issue an order or otherwise allow for the change of name of a person who is required to register with the Commissioner of Public Safety as a sexual offender unless such person complies with the requirements of subdivision (1) of subsection (b) of this section.

(b) (1) Any person who is required to register with the Commissioner of Public Safety as a sexual offender who files an application with the Court of Probate for a change of name shall (A) prior to filing such application, notify the Commissioner of Public Safety, on such form as the commissioner may prescribe, that the person intends to file an application for a change of name, indicating the change of name sought, and (B) include with such application a sworn statement that such change of name is not being sought for the purpose of avoiding the legal consequences of a criminal conviction, including, but not limited to, a criminal conviction that requires such person to register as a sexual offender.

(2) The Commissioner of Public Safety shall have standing to challenge such person's application for a change of name in the court of probate where such change of name is sought. The commissioner shall challenge the change of name through the Attorney General. The court of probate may deny such person's application for a change of name if the court finds, by a preponderance of the evidence, that the person is applying for

such change of name for the purpose of avoiding the legal consequences of a criminal conviction.

[(b)] (c) Whenever the court, pursuant to this section, orders a change of name of a person, the court shall notify the Commissioner of Public Safety of the issuance of such order if the court finds that such person is listed in the registry established and maintained pursuant to section 54-257.

Sec. 2. Section 52-11 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The superior court in each judicial district shall have jurisdiction of complaints praying for a change of name, brought by any person residing in the judicial district, and may change the name of the complainant, who shall thereafter be known by the name prescribed by said court in its decree, except that no superior court may issue an order or otherwise allow for the change of name of a person who is required to register with the Commissioner of Public Safety as a sexual offender unless such person complies with the requirements of subdivision (1) of subsection (b) of this section.

(b) (1) Any person who is required to register with the Commissioner of Public Safety as a sexual offender who files an application with the Superior Court for a change of name shall (A) prior to filing such application, notify the Commissioner of Public Safety, on such form as the commissioner may prescribe, that the person intends to file an application for a change of name, indicating the change of name sought, and (B) include with such application a sworn statement that such change of name is not being sought for the purpose of avoiding the legal consequences of a criminal conviction, including, but not limited to, a criminal conviction that requires such person to register as a sexual offender.

(2) The Commissioner of Public Safety shall have standing to challenge such person's application for a change of name in the superior court where such change of name is sought. The commissioner shall challenge the change of name through the Attorney General. The superior court may deny such person's application for a change of name if the court finds, by a preponderance of the evidence, that the person is applying for such change of name for the purpose of avoiding the legal consequences of a criminal conviction.

[(b)] (c) Whenever the court, pursuant to this section, orders a change of name of a person, the clerk of the court shall notify the Commissioner of Public Safety of the issuance of such order if the clerk finds that such person is listed in the registry established and maintained pursuant to section 54-257.

Approved May 12, 2008



Substitute House Bill No. 5722

Public Act No. 08-84

AN ACT CONCERNING PROTECTIVE ORDERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 54-1k of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) Upon the arrest of a person for a violation of subdivision (1) or (2) of subsection (a) of section 53-21 of the 2008 supplement to the general statutes, section 53a-70, 53a-70a, 53a-70c of the 2008 supplement to the general statutes, 53a-71 of the 2008 supplement to the general statutes, 53a-72a, 53a-72b, or 53a-73a of the 2008 supplement to the general statutes, or any attempt thereof, or section 53a-181c, 53a-181d or 53a-181e, the court may issue a protective order pursuant to this section. Upon the arrest of a person for a violation of section 53a-182b or 53a-183, the court may issue a protective order pursuant to this section if it finds that such violation caused the victim to reasonably fear for his or her physical safety. Such order shall be an order of the court, and the clerk of the court shall cause a certified copy of such order to be sent to the victim, and a copy of such order, or the information contained in such order, to be sent by facsimile or other means within forty-eight hours of its issuance to the appropriate law enforcement agency.

(b) A protective order issued under this section may include provisions necessary to protect the victim from threats, harassment, injury or intimidation by the defendant, including but not limited to, an order enjoining the defendant from (1) imposing any restraint upon the person or liberty of the victim, (2) threatening, harassing, assaulting, molesting or sexually assaulting the victim, or (3) entering the dwelling of the victim. A protective order issued under this section may include provisions necessary to protect any animal owned or kept by the victim including, but not limited to, an order enjoining the defendant from injuring or threatening to injure such animal. Such order shall be made a condition of the bail or release of the defendant and shall contain the

following language: "In accordance with section 53a-223 of the Connecticut general statutes, any violation of this order constitutes criminal violation of a protective order which is punishable by a term of imprisonment of not more than five years, a fine of not more than five thousand dollars, or both. Additionally, in accordance with section 53a-107 of the Connecticut general statutes, entering or remaining in a building or any other premises in violation of this order constitutes criminal trespass in the first degree which is punishable by a term of imprisonment of not more than one year, a fine of not more than two thousand dollars, or both. Violation of this order also violates a condition of your bail or release and may result in raising the amount of bail or revoking release. "

(c) The information contained in and concerning the issuance of any protective order issued under this section shall be entered in the registry of protective orders pursuant to section 51-5c.

Approved May 21, 2008