

PUBLIC ACT 16-34, AN ACT PROTECTING VICTIMS OF DOMESTIC VIOLENCE

Requires Surrender of Firearms During Temporary Restraining Orders

- Requires the respondent of a temporary, ex parte restraining order to surrender all firearms and ammunition to local or state police or sell them to a federally licensed firearm dealer within 24 hours of notification of the order and makes it a Class C felony to possess a firearm when subject to an ex parte restraining order [*§29-36k, §53a-217, §53a-217c; Effective October 1, 2016*]
- Requires that hearings be scheduled within 7 days of the date of any ex parte restraining order issued by the court if the applicant alleged that the respondent possess firearms, ammunitions or firearm permits/eligibility certificates [*§46b-15; Effective October 1, 2016*]
- Provides that firearms and ammunitions shall be returned within 5 business days if the order expires or if a subsequent order is issued rescinding the restraining order, and provided that the individual is not otherwise disqualified from possessing firearms or ammunition [*§29-36k; Effective October 1, 2016*]
- Revokes firearm permits and eligibility certificates during ex parte restraining orders and provides that they be promptly reinstated upon expiration of the order [*§29-28, §29-36f, §29-37p, §29-32, §29-36i, §29-37s, §29-38p; Effective October 1, 2016*]
- Recommends, but does not require, in-hand service of ex parte orders when the applicant has alleged that the respondent possess firearms, ammunition or firearm permits/eligibility certificates and requires that marshals notify local police when and where ex parte orders with such allegations will be served so that police, if they choose, may be present at time of service [*§46b-15; Effective October 1, 2016*]

Enhances Service of Restraining Orders and Available Restraining Order Data

- Provides additional time for the marshal to serve an order or notice of hearing by reducing the number of days - now 3 days instead of 5 days - prior to the hearing by which notice must be served [*§46b-15; Effective October 1, 2016*]
- Requires the court, if an ex parte restraining order was issued, to, upon request of the applicant, extend an ex parte restraining order and prepare a new order and notice of hearing if the original order and notice was not successfully served within 3 days of the original hearing date [*§46b-15; Effective October 1, 2016*]
- Requires the marshal as soon as possible, but no later than 2 hours after service is executed, to indicate in the Judicial Branch's internet-based tracking system the date/time/method of service; if service is not successful prior to the hearing, the marshal must indicate unsuccessful service in the tracking system [*§46b-15, §46b-16a; Effective October 1, 2016*]
- Requires the Chief Court Administrator to...
 - Where feasible, provide space within the courthouse to permit meetings between restraining order applicants and state marshals [*New section; Effective October 1, 2016*]
 - Revise and simplify the process for filing a restraining order; provide a one-page, plain language explanation of how to apply for a restraining order; and, develop and make available public educational materials concerning the risk warrant process set forth under CT General Statute §29-38c [*New section; Effective October 1, 2016*]
 - Collect data on the number of restraining orders issued, the number of such orders that are not picked up by an applicant from the clerk, the method of service of such orders when successfully served, the number of requests for a police officer to be present at the time of service, and the number of such orders issued that subsequently expire or are dismissed because the respondent could not be successfully served [*New section; Effective October 1, 2016*]
- Requires the state marshal commission to adopt policies related to 1) the timely, consistent and reliable access to a state marshal for applicants of restraining orders, 2) the provision of services to persons with limited English proficiency, 3) the provision of services to persons who are deaf or hearing impaired, and 4) the service of photocopied orders [*§6-38b; Effective October 1, 2016*]

PUBLIC ACT 16-105, AN ACT CONCERNING COURT OPERATIONS

Makes Changes to the Court Process Related to Restraining Orders

- Clarifies the requirement that the court provide information to all restraining order applicants about the existence of services available at domestic violence agencies that meet Department of Social Services' criteria for service provision [*§46b-15, §46b-15b; Effective October 1, 2016*]
- Allows the court, at the time of hearing, to consider a report prepared by the Judicial Branch Family Services Unit, which shall be provided to both the applicant and respondent and include the following [*§46b-15; Effective October 1, 2016*]:
 - Any existing or prior order of protection
 - Information on pending or past criminal cases in which the respondent was convicted of a violent crime
 - Any outstanding arrest warrants for the respondent
 - Respondent's level of risk based on a risk assessment tool utilized by Family Services
 - Any pending or disposed family matters case involving the applicant and respondent
- Clarifies that adults who bring restraining order applications as next friend of an applicant under 18 years old cannot speak on the applicant's behalf unless there is good cause shown as to why the applicant is unable to speak on his or her own behalf [*§46b-15; Effective October 1, 2016*]

PUBLIC ACT 16-71, AN ACT CONCERNING HUMAN TRAFFICKING

Adds Requirements to Judicial Branch Family Violence Training

- Requires that Judicial Branch training related to family violence include an examination of the factors that contribute to a family being at risk for episodes of domestic violence [*§46b-38c; Effective October 1, 2016*]

Strengthens Connecticut's Anti-Human Trafficking Laws (*complete changes available in above link*)

- Requires each state's attorney and municipal police chief to report annually on efforts related to human trafficking, including investigation of allegations and initiation of criminal proceedings related to human trafficking, and the number of human trafficking cases that result in convictions [*New section; Effective October 1, 2016*]
- Makes changes related to the crime of prostitution, including raising the age at which someone can be charged with prostitution to 18 and requiring anyone convicted of patronizing a prostitute to be fined \$2,000 [*§53a-82, §53a-83, §53a-83a; Effective October 1, 2016*]

SPECIAL ACT 16-19, AN ACT CREATING A TASK FORCE TO IMPROVE ACCESS TO LEGAL COUNSEL IN CIVIL MATTERS

Creates a Task Force to Study the Nature, Extent and Consequences of Unmet Legal Needs in Civil Matters

- CCADV is appointed to the task force, which must report findings and recommendations to the General Assembly no later than December 15, 2016 [*New Section; Effective upon passage*]

PUBLIC ACT 16-2, AN ACT ADJUSTING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2017

May 2016 Special Session

FY17 funding for domestic violence services includes:

Reduced Funding - Dept. of Social Services:

\$5,158,570 for domestic violence shelters and services (<1% reduction from \$5,210,676)

Eliminated 1% Cost of Living Adjustment (COLA) in FY17 - Office of Policy & Management

SENATE BILL 324, AN ACT CONCERNING A TEMPORARY HOLDING PERIOD FOR CERTAIN FAMILY VIOLENCE ARRESTEES

This bill would have allowed law enforcement to, based on the presence of certain risk factors, hold certain family violence arrestees for up to 8 hours before allowing them to make bail. This bill failed to pass.