
OLR Bill Analysis

sHB 6887

AN ACT CONCERNING ADDITIONAL LEGAL PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE.

SUMMARY

This bill expands and makes permanent the Judicial Department's electronic monitoring pilot program for family violence offenders by requiring the department, within available appropriations, to establish the program in each judicial district by October 1, 2025. Current law allows, but does not require, the department to establish the pilot program, within available appropriations, in three judicial districts. (It has operated in the Bridgeport, Danielson, and Hartford judicial districts since 2010.)

The bill eliminates current law's requirement that the person subject to the electronic monitoring pay the cost of it, subject to the chief court administrator's guidelines.

It also eliminates an obsolete provision on the pilot program's initial funding and operation.

Under existing law, unchanged by the bill, the program authorizes the court to order someone to be placed under electronic monitoring if the (1) court finds it necessary to protect the victim and (2) offender is charged with violating a restraining or protective order and found to be a high-risk offender by the family violence intervention unit.

By law, the electronic monitoring warns law enforcement agencies, a statewide information collection center, and the victim when the offender is within a specified distance of the victim. The court clerk must send a copy of an order placing someone under electronic monitoring, or the information the order contains, to the law enforcement agencies for the town where the person lives.

EFFECTIVE DATE: July 1, 2023

BACKGROUND

Family Violence

By law, “family violence” is an incident resulting in physical harm, bodily injury, or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury, or assault, including stalking or a pattern of threatening, between family or household members. It excludes verbal abuse or argument unless there is present danger and the likelihood that physical violence will occur (CGS § 46b-38a(1)).

Family Violence Crime

By law, “family violence crime” means a crime other than a delinquent act, which, in addition to its other elements, contains an element of an act of family violence to a family or household member. It does not include acts by parents or guardians disciplining minor children unless they constitute abuse (CGS § 46b-38a(3)).

Related bill

SB 5, favorably reported by the Judiciary Committee, has similar provisions expanding the electronic monitory program statewide. However, it also allocates funds for FYs 24 & 25 to the Judicial Department’s Office of Victim Services and the Department of Social Services for victim service providers and domestic violence child and family advocates respectively.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 37 Nay 0 (03/27/2023)