

## Jennifer's Law (Connecticut)

By: Michelle Kirby, Senior Legislative Attorney

April 24, 2023 | 2023-R-0107

### Issue

Provide information on Jennifer's law in Connecticut.

### Summary

In the 2021 legislative session, the Connecticut legislature passed a domestic violence-related law ([PA 21-78](#)) that established a general definition of domestic violence that includes coercive control (defined below) as a form of domestic violence. This law was coined "Jennifer's Law."

Among other things, the law allows victims subject to coercive control by a family or household member to be eligible for civil restraining orders. It also makes criminal violation of a protection order a "family violence crime" in certain circumstances. Additionally, the law prescribes a specific notice (e.g., the protected person's right to testify or appear in family court remotely) that must be provided to each person who receives a family violence protective order or standing criminal protection order. It also provides an alternative means for obtaining testimony from the protected person, by requiring the court to take the protected person's testimony absent the person from whom they are protected.

In addition, the law created a grant program to provide free legal assistance to indigent restraining order applicants. It (1) expanded the judicial districts within which the chief court administrator must allow one or more family violence victim advocates to provide services to domestic violence victims and (2) requires courthouses constructed on or after July 1, 2021, to include a room for family violence victims and advocates.

### *Jennifer's Law*

*The domestic violence-related law that was enacted in Connecticut in 2021 ([PA 21-78](#)) was coined "Jennifer's Law" in honor of two Connecticut victims, Jennifer Dulos and Jennifer Magnano.*

It also established additional protections for tenants who are protected by certain orders of protection by, among other things, requiring a landlord to change a dwelling unit's locks upon the tenant's request or allow the tenant to do so within a certain time period.

Lastly, it provides eligible domestic violence victims easier access to certain cash assistance programs (e.g., state-administered general assistance).

For more detailed information on this law see the public act summary, available [here](#).

## **Domestic Violence**

[PA 21-78](#) created a general definition for the term “domestic violence” and applies it to all provisions related to family relations matters and support (i.e., [Title 46b](#), family law). In doing so, it includes coercive control as a form of domestic violence.

Under the law, “domestic violence” means:

1. a continuous threat of present physical pain or physical injury against a family or household member;
2. stalking, including 2nd degree stalking, of a family or household member;
3. a pattern of threatening, including 2nd degree threatening, of a family or household member or a third party that intimidates the family or household member; or
4. coercive control of a family or household member, which is a pattern of behavior that in purpose or effect unreasonably interferes with a person's free will and personal liberty ([CGS § 46b-1](#)).

## ***Coercive Control***

Under the law, “coercive control” includes unreasonably:

1. isolating the family or household member from friends, relatives, or other support;
2. depriving the family or household member of basic necessities;
3. controlling, regulating, or monitoring the family or household member's movements, communications, daily behavior, finances, economic resources, or access to services;
4. compelling the family or household member by force, threat, or intimidation, including threats based on actual or suspected immigration status to (a) engage in conduct from which they have a right to abstain or (b) abstain from conduct that they have a right to pursue;

5. committing or threatening to commit cruelty to animals that intimidates the family or household member; or
6. forcing the performance of sex acts or making threats of a sexual nature, including threatened acts of sexual conduct, threats based on a person's sexuality, or threats to release sexual images ([CGS § 46b-1](#)).

Because the definition applies to all of [Title 46b](#) unless the context otherwise requires, the following provisions specifically incorporate “domestic violence” as described above:

1. continuing restraining orders ([CGS § 46b-15b](#));
2. various family violence investigations and programs ([CGS §§ 46b-38b](#), [-38c](#), [-38g](#), [-38j](#), [-38k](#), [-38l](#) & [-38m](#));
3. certain provisions on appointing guardians ad litem, custody decisions, and visitation rights ([CGS §§ 46b-54](#), [-56](#) & [-59](#)); and
4. certain paternity provisions under the uniform parentage act.

### ***Family or Household Members***

By law, “family or household members” are any of the following, regardless of age:

1. spouses or former spouses;
2. parents or their children;
3. people related by blood or marriage;
4. people not related by blood or marriage living together or who have lived together;
5. people who have a child in common, regardless of whether they are or have been married or have lived together; and
6. people who are or were recently dating ([CGS § 46b-38a](#)).

MK:kl