

Domestic Violence-Related Legislation (2020-2023)

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Issue

Provide a summary of the domestic violence-related legislation that passed from 2020 through 2023. This updates OLR Report [2023-R-0102](#). **This report has been updated and expanded by OLR Report [2024-R-0169](#).**

Summary

Over the past four legislative sessions (2020-2023), the Connecticut legislature has passed various pieces of legislation addressing domestic violence.

Most recently, it passed laws that generally do the following:

1. merge two existing domestic and family violence-related advisory councils and expand the scope of the new council's responsibilities and purpose;
2. prohibit the court from ordering an injured spouse to make alimony payments to the convicted spouse or pay his or her attorney's fees; and
3. expand, and make permanent, the Judicial Department's electronic monitoring pilot program for family violence offenders.

In 2022, the legislature passed three pieces of legislation on (1) domestic violence victim resources, (2) domestic violence victims as a protected class, and (3) the expansion of the address confidentiality program.

In 2021, the legislature passed three laws that:

1. expanded the definition of “family violence crime”;
2. established a general definition of domestic violence that includes coercive control;
3. allows the court to extend ex-parte restraining orders under certain circumstances;
4. expanded the list of professionals that a domestic violence victim may report their abuse to in order to receive victim compensation;
5. generally prohibited consideration of a person’s status as a domestic violence victim by health, property, casualty, and life insurers; and
6. expanded the number of judicial districts in which the court must provide family violence victim advocates to assist domestic violence victims.

In 2020, the legislative session was suspended due to the COVID-19 pandemic and as a result no bills passed that year. However, during the pandemic, the Judicial Branch established an electronic process for domestic violence victims to apply for restraining and protection orders.

2023

Domestic Violence Criminal Justice Response and Enhancement Advisory Council

A new law (1) changes the name of the “Family Violence Model Policy Governing Council” to the “Domestic Violence Criminal Justice Response and Enhancement Advisory Council” (“the council”); (2) increases its membership from 19 to 26 members; and (3) expands the scope of its purpose and responsibilities, including by incorporating those of the Domestic Violence Offender Program Standards Advisory Council, which the new law repeals.

The new law requires the council to collect and analyze any additional data related to domestic violence and the criminal justice response available from the judicial branch court operations, state’s attorneys, public defenders, domestic violence advocates, or domestic violence offender programs. Additionally, the new law requires the council to evaluate and advise on specific domestic violence-related issues, such as the (1) domestic violence offender program; (2) pretrial family violence education program; and (3) use of electronic monitoring ([PA 23-136](#), §§ 1-3 & 5, effective July 1, 2023).

Court-Ordered Alimony Payments by Injured Spouse

A new law prohibits the court from ordering an injured spouse (i.e., a victim of certain crimes committed by the other spouse) to pay the following after the marriage date: (1) temporary or

permanent alimony payments to the convicted spouse and (2) the convicted spouse's attorney's fees. This prohibition applies to the following crimes: (1) criminal attempt or conspiracy to commit murder, murder with special circumstances, felony murder, or arson murder of the other spouse; (2) 1st degree sexual assault and 1st degree aggravated sexual assault of the other spouse; (3) a class A or B felony offense of 2nd degree sexual assault or 3rd degree sexual assault with a firearm of the other spouse; (4) a class A or B felony family violence crime; or (5) any crime in another state, with essential elements that are substantially the same as the crimes listed above ([PA 23-106](#), § 2, effective October 1, 2023).

Another new law requires the court, upon the motion of an injured spouse, to terminate any orders it entered requiring the injured spouse to make alimony payments if the recipient spouse is subsequently convicted of any of the above crimes against the injured spouse ([PA 23-136](#), § 4, effective October 1, 2023).

Electronic Monitoring

A new law expands the Judicial Department's electronic monitoring pilot program for family violence offenders by removing its pilot status and requiring the department to establish the program in each judicial district by October 1, 2025. (The pilot program has operated in the Bridgeport, Danielson, and Hartford judicial districts since 2010.) By law, the court can order electronic monitoring for anyone charged with violating a restraining or protective order and who has been determined to be a high-risk offender by the family violence intervention unit, if the court finds it necessary to protect the victim. The new law also eliminates a requirement that the person who is subject to the monitoring pay its cost, subject to the chief court administrator's guidelines ([PA 23-106](#), § 1, effective July 1, 2023).

2022

Domestic Violence Victim Resources

A 2022 law required certain first responders to distribute the judicial branch's Office of Victim Services (OVS) domestic violence victim resources document. Specifically, the 2022 law:

1. required state and municipal police officers and emergency medical technicians, including medical responders, to keep copies of these documents in any vehicle they use to carry out their duties;
2. allowed them to provide copies to anyone they think may benefit from the resources; and
3. required peace officers at the scene of a family violence incident to provide victims with the OVS victim resource document and, if there is a child at the scene, a copy of the Department of Children and Families (DCF) children's resources document.

The law also required that these materials be available in multiple languages (e.g., Polish, Portuguese, and Spanish) and for DCF to distribute these materials electronically and to various emergency services entities in hard copy ([PA 22-47](#), §§ 62-64, effective July 1, 2022).

Domestic Violence Victims as a Protected Class

A 2022 law prohibited discrimination based on someone's status as a domestic violence victim in employment, public accommodations, housing, the granting of credit, and other areas over which the Commission on Human Rights and Opportunities (CHRO) has jurisdiction. Under the law, a domestic violence victim aggrieved by an alleged discriminatory practice may file discrimination complaints with CHRO. It also expressly added status as a domestic violence victim to the list of protected classes (e.g., religion, gender, race, and disability) ([PA 22-82](#), §§ 7 & 10-21, effective October 1, 2022).

Address Confidentiality Program

By law, the address confidentiality program, administered by the secretary of the state, allows certain victims (e.g., domestic violence and sexual assault victims) to receive a substitute mailing address to keep their residential address confidential due to safety concerns. The General Assembly expanded the program in 2022 by allowing the following individuals to participate:

1. victims of 1st or 2nd degree kidnapping, 1st or 2nd degree kidnapping with a firearm, or human trafficking;
2. victims of child abuse that was substantiated by DCF and the basis of a restraining or civil protection order; and
3. children who are the subject of petitions to terminate parental rights granted by the court ([PA 22-87](#), §§ 9-11, effective July 1, 2022).

2021

Family Violence Crime

In 2021, the definition of family violence crime was expanded to include (1) 1st and 2nd degree violations of conditions of release and (2) criminal violation of a protective order, standing criminal protective order, or restraining order when the condition of release or court order is issued for an act of family violence or a family violence crime. Unchanged by the act, "family violence crime" also includes a crime, other than a delinquent act under state law, that contains an element including an act of family violence to a family or household member ([CGS § 46b-38a\(3\)](#))([PA 21-78](#), § 4, effective July 1, 2021).

Coercive Control and Civil Restraining Orders

In 2021, a new law established a general definition of domestic violence that includes the coercive control of a family or household member, which under the new law is a pattern of behavior that in purpose or effect unreasonably interferes with a person's free will and personal liberty. Among other things, it:

1. makes victims subject to coercive control by a family or household member eligible for civil restraining orders;
2. requires the court to sanction a party that files frivolous and fabricated pleadings or motions in family relations matters;
3. creates a grant program to provide free legal assistance to indigent restraining order applicants; and
4. prescribes a specific notice the court must give to each person who receives a family violence protective order or standing criminal protection order ([PA 21-78](#), §§ 1, 2, 6, 7, 10 & 15, generally effective October 1, 2021).

Family Violence Victim Advocates

Under existing law, family violence victim advocates give advice, counsel, and assistance to, and advocate for, victims of domestic violence. In 2021, a new law expanded the number of judicial districts in which advocates may serve victims. Additionally, under the law, when an advocate is providing services in certain courts, he or she may request, a copy of any police report possessed by the state's attorney, the State Police, a municipal police department, or any other law enforcement agency if required to perform his or her duties. The report must be provided if requested ([PA 21-78](#), § 12, effective July 1, 2021).

Insurance Discrimination

In 2021, the legislature clarified that health carriers (e.g., health insurers and HMOs) that issue disability income protection policies are prohibited from refusing to insure a person, varying the terms of coverage, or charging a different rate for coverage because the person has been a victim of domestic violence. The legislature also prohibited similar actions by property and casualty insurers and life insurers based on a person's status as a domestic violence victim. Violations of this law are subject to the Connecticut Unfair Insurance Practices Act ([PA 21-93](#), effective October 1, 2021).

Ex-Parte Civil Protection Orders

By law, a victim of sexual abuse, sexual assault, or stalking may apply for an ex-parte civil protection order (i.e., one issued without a hearing) if he or she is not eligible for a civil restraining order. In 2021, a new provision requires the court, under specific circumstances, to extend an ex-

parte order up to another 14 days from the originally scheduled hearing date to allow more time for service of process. The court must do so upon the applicant's request and based on the information in the original application. This provision already applies under existing law to civil restraining orders ([PA 21-104](#), § 17, effective upon passage).

Family Violence Victim Compensation

Under previous law, family violence victims were required to disclose their alleged personal injury to a domestic violence or sexual assault counselor in order to receive compensation. Instead, the new law allows family violence victims to report to professionals such as doctors, police officers, or licensed marriage or family therapists (i.e., professionals existing law allows for reporting personal injury from other crimes). The law also (1) adds child advocacy center employees to the list of professionals to whom a victim may disclose alleged personal injury and (2) generally allows compensation if an eligible victim reports personal injury in a restraining order application ([PA 21-104](#), § 51, effective upon passage).

2020

Due to the COVID-19 pandemic, the 2020 legislative session was suspended. As a result, there were no bills that passed that session.

Restraining and Protective Orders During the Pandemic

Although many courthouses were closed during the pandemic, domestic violence victims were still able to file applications for civil restraining or protection orders in the courts listed by the Judicial Branch as open.

Additionally, the Judicial Branch established [procedures](#) for individuals to apply for protection orders remotely by fax or email during courthouse hours.

Additional Resources

You may find the recent OLR reports listed below to be useful.

- ***[2023-R-0070](#) - Electronic Monitoring of Family Violence Offenders***

This report provides information on Connecticut's 2010 pilot program that allowed the use of global positioning system (GPS) monitoring of family violence offenders, including available program statistics on the current utilization of GPS systems and its effectiveness. (This program was expanded and made permanent by [PA 23-106](#), § 1.)

- **[2023-R-0093](#) - *Address Confidentially for Domestic Violence Victims***

This report provides information on the address confidentiality program within the secretary of the state's office that was created in 2003 to protect victims of certain crimes, such as domestic violence ([PA 03-200](#), codified at [CGS § 54-240 et seq.](#)).

- **[2023-R-0107](#) - *Jennifer's Law (Connecticut)***

This report provides more detail on the domestic violence-related law that was enacted in Connecticut in 2021 ([PA 21-78](#)) and coined "Jennifer's Law" in honor of two Connecticut victims, Jennifer Dulos and Jennifer Magnano.

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