



H. 27– An Act Relating to Coercive Controlling Behavior and Abuse Prevention Orders

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Thank you for the invitation to speak with the committee about H. 27, an act relating to coercive controlling behavior and abuse prevention orders. On behalf of our Member Organizations and the victims and survivors we represent, the Vermont Network strongly supports H. 27 and we hope to see this bill move swiftly in the early weeks of the session.

H. 27 is a needed and appropriate evolution in Vermont’s protection order statute to better reflect the abuse that victims and survivors experience. The stories of survivors, as well as the data and research, illustrate that domestic violence is often not a single incident – but rather a course of conduct. It is an escalating pattern of behavior which, in its most dangerous form, includes physical violence. While our statutes currently are designed to respond to physical violence, we know that physical violence is only one form of domestic violence. Other forms of domestic violence – including financial, psychological and emotional abuse – have significant and devastating impacts on survivors across Vermont.

What H. 27 is intended to do is provide civil court protection to victims of violence without a victim needing to experience physical violence. This is a prevention measure in its most basic form. Through establishing coercive control as part of the spectrum of domestic abuse in our civil protection orders, the courts will have the additional tools they need to better understand and respond to domestic violence in all of its forms - while still protecting the due process of those using abusive tactics.

This proposal is not experimental - seven other states or territories already have already added coercive control to their protection order statutes: Arkansas, California, Connecticut, Hawaii, Michigan, Washington, and Puerto Rico. Six additional states have similar language in their statute definitions without it being explicitly defined as coercive control. These states include: Colorado, Delaware, Maine, Missouri, Montana, and Oregon. Legislation is also being considered in other state legislatures this session across the country - most notably in the northeast states of Massachusetts, Rhode Island and New York.

Anecdotally we are hearing from our peers in other states that this implementation process has been successful and that victims are able to find relief by obtaining a protection order on the basis of coercive control. While it is possible for any legal tool to be used against those needing protection, we are not hearing from other states that large numbers of abusive partners are utilizing these orders against survivors. We are also not hearing that court systems in other states have been strained by these proposals. Most states, including our own, do not require their Judiciary to track data related to the basis for protection orders that have been issued. This makes large scale data collection challenging.



I want to leave you with a story that truly illustrates why the change proposed in H. 27 is necessary. This is a story that I became familiar with through my role on Vermont's Domestic Violence Fatality Review Commission. We reviewed a case of a young mom living in a rural area of our state. She had two very small children. Her partner was obsessively jealous of any relationships she had and limited her interaction with others by routinely removing her phone. This mom drove a minivan. Her partner removed the back seats of the van, placing the seats in the yard. Because of this, she could not drive the car with her kids in their child safety seats. This mom was a good and loving parent – and she wasn't willing to risk the harm to her children by driving them long distances unsecured in a car. Unfortunately, in this case, the controlling and coercive behavior ultimately led to physical violence and homicide.

With a law such as H. 27, this mom - and countless others like her - could seek protection from the violence and control that they experience within abusive relationships. Thank you for your time.