

Vermont Council on Domestic Violence

To: Sen. Richard Sears, Chair
Sen. Joe Benning, Vice-Chair
Members of the Senate Committee on Judiciary

From: Heather Holter, Coordinator, Vermont Council on Domestic Violence
Re: H.95
Date: April 6, 2016

I am writing to make you aware of the support of The Vermont Council on Domestic Violence (Council) for an amendment to H.95 which would change Vermont's protection order statutes to ensure that minors 16 years of age or older can apply for protection orders on their own behalf.

The Judicial Caucus of the Council has dedicated some time to looking closely at this issue.

The Need to Extend Protection to Minors

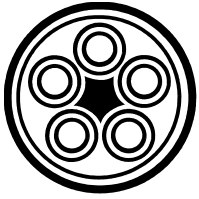
According to the Center for Disease Control, : "Among adult victims of rape, physical violence, and/ or stalking by an intimate partner, 22% of women and 15% of men first experienced some form of partner violence between 11 and 17 years of age." ¹ This is an alarming figure, and it indicates the importance of providing minors with access to protection orders, the *first* time they need one. There is also evidence that if minors are able to seek protection orders without being required to involve their parents they are more likely to do so. If the state of Vermont awards minor victims of domestic and sexual violence the same ability to seek protection that their adult counterparts are given, we send a clear message to these young victims that the legal system is accessible to them. When survivors of violence have options for seeking safety the rate of abuse will decline in our communities.

Teenagers now live in a world where technology allows them to be in contact with intimate partners and others 24 hours a day, often without parental knowledge. In one study, 28% of youth ages 11 to 14 had been checked up on via cell phone more than 10 times per day and 24% reported that they were checked on via text more than 20 times per day.² This kind of coercive control is the first warning sign of an abusive relationship.

Many states currently allow minors to seek relief through applying for a protection order, and Vermont has an opportunity to join them by amending our statute to respond to a growing need, which will support young survivors in breaking the cycle of violence early in their lives. One in three girls in the US is a victim of physical, emotional or verbal abuse from a dating partner, a

¹ Black MC, Basile KC, Breiding MJ, Smith SG, Walters ML, Merrick MT, Chen J, Stevens MR. The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, 2011.

² Liz Claiborne and TRU. February 2008. Tween and Teen Dating Violence and Abuse Study. Available at www.loveisnotabuse.com.



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figure that far exceeds rates of other types of youth violence.³ Clearly many young people are impacted, and the ability to apply for an order of protection will empower those survivors to seek the safety they deserve.

Council History

In 2008, VT statute 15 VSA chapter 21, subchapter 4, 1171-1173 created the Vermont Council on Domestic Violence (Council) with broad representation from state and community stakeholders in order to coordinate statewide responses to domestic violence. The Council makes recommendations for changes in state programs, laws, administrative regulations, policies, and budgets related to domestic violence. I have attached basic information about the Council.

Council Decision

The Council on Domestic Violence is a large group, and the diversity and breadth of members' experience is what makes the Council unique. It may also be notable that the Council makes our decisions using a consensus model—placing an integral emphasis on gathering and sharing information, rich discussion, and debate. There were 27 Council members present on December 2, 2015 and 23 members agreed to support this amendment. Four members “stood aside” from the vote, due to the limitations imposed for members representing State agencies or the Judiciary.⁴ There were no members in disagreement.

Council Position

The Council supports H. 95.

³ Davis, Antoinette, MPH. 2008. Interpersonal and Physical Dating Violence among Teens. The National Council on Crime and Delinquency Focus. Available at http://www.nccd-crc.org/nccd/pubs/2008_focus_teen_dating_violence.pdf.

⁴ *Stand Asides*: Hon. Barb Zander (Family Court), Ellie Breitmaier (VT Dept. for Children and Families), Rick Bates (VT Dept. Of Corrections), Kathleen Pearl (Court Clerk).