



**H. 413 - An act relating to recognition and enforcement of
Canadian domestic violence protection orders
Chris Fenno, Executive Director
House Committee on Judiciary
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The Center for Crime Victims Services supports H.413, which authorizes Vermont law enforcement officers to enforce Canadian Domestic Violence Prevention Orders. This bill will ensure that domestic violence survivors seeking protection here in Vermont—both Americans and Canadians alike—are not stymied by the legal complexity posed by traveling across our northern border. This bill has been thoroughly vetted and debated by the Uniform Law Commission, which provides additional assurance that legal complexities and issues of fairness have been addressed.

The process for enforcing orders set forth in this bill is simple and flexible. It removes the burden on survivors to have to hire a lawyer to figure out which country's courts can help them. It also eliminates the need to pursue another order in a Vermont court after already seeking help in Canada. There is great potential that someone might obtain a domestic violence protection order in Canada and find themselves in Vermont needing help. People move freely between Vermont and Quebec, and many towns close to the border are small and geographically isolated.

Without this bill, the border can create tough legal barriers that limit the reach of law enforcement and the courts. Depending on the circumstances, a Vermont court might lack authority to issue a protective order in a cross-border case, due to lack of jurisdiction over the defendant or an inability to properly serve the defendant. Even an American survivor fleeing violence in Canada and seeking refuge here in their home country and state does not actually guarantee that a Vermont court can issue an order to protect them here.

If a Canadian court has concluded that a survivor needs protection, Vermont law enforcement should be empowered to honor that court's decision immediately. Erring on the side of protection saves lives.

We strongly encourage you to pass H.413. Thank you for taking up this important legislation.