



**H.413 - Enforcement and Service of Canadian Protection Orders**  
**House Judiciary Committee**  
**March 14<sup>th</sup>, 2019**  
**Sarah Robinson, Deputy Director**

Thank you for your time and for taking testimony on H. 413 today. The Vermont Network supports H.413 as proposed.

Though domestic violence is a widespread problem in our state and country, the majority of domestic violence victims never access law enforcement or the court system to report their abuse or seek safety. For those who do, protection orders are a primary tool that survivors use to establish safety for themselves, their families, and their communities. The conditions of a protection order often provide limitations on contact, proximity, and possession of weapons that provide the space required for victims to establish broader and long-lasting safety plans.

The importance of the portability of these orders has been well established and documented. Under the federal Violence Against Women Act, states are required to accord full faith and credit to protection orders issued by the court of another state, tribal jurisdiction, or territory. Fleeing domestic violence frequently uproots survivors from their housing, communities, and established safety nets. It is very common for survivors to relocate to a different state or even country to seek safety. This bill will help ensure that Canadian Protection orders can be enforced, and that violations of those orders can be prosecuted.

In preparing for today's testimony, I spoke with the Vermont Network Member Organizations serving Vermont's northern counties, including Voices Against Violence, which serves Franklin and Grand Isle Counties, and Umbrella, which serves Essex, Orleans and Caledonia Counties. Both organizations reported that they have worked with survivors who have moved between the U.S. and Quebec for reasons related to the abuse they have experienced. They have accessed systems of support and safety on either side of the border. While there were no specific stories of protection orders not being enforced, it was abundantly clear that our international border poses a barrier in many ways. Victims find it difficult to be full participants in court proceedings, and have challenges in accessing the information required to ensure their safety.

There are three elements of the bill that I would like to highlight as particularly important to the Network and the members we serve:

- The provision of the bill that allows for the enforceability of protection orders based on a record of a protection order that is not a certified copy.
  - Victims reporting violations of protection orders are often doing so as a result of a direct threat to their safety. The allowance for a record that is not certified to suffice for enforcement will be very helpful to victim safety.



- The requirement that law enforcement officers communicate with victims about their efforts to notify the respondent about the order, consistent with the safety of the victim, as well as the availability of local victim services.
- The entering of information related to the orders into a searchable database will be immensely helpful for determining whether an individual is in violation of a condition of their order.

Sharing a border with our northern neighbor is a treasured asset for many in Vermont. This bill would help ensure that the border is not a barrier to safety and justice for survivors of domestic violence.