



**H.937, Miscellaneous Judiciary Bill – Section 40h**  
**Charlie Gliserman, Policy Director**  
**May 14, 2026**

Thank you for the opportunity to speak in support of Section 40h of H.937, which would ensure relief from abuse order (RFA) access when defendants are under Department of Corrections supervision.

This issue was identified by attorneys working with survivors through the Vermont Network's pro bono legal clinic and considered by the House Judiciary Committee within H.628.

RFAs, also known as domestic violence protection orders, are a critical legal tool for survivors of domestic violence. They are civil court orders that a survivor (plaintiff) can request directly from the court to protect their safety.

**To obtain an RFA, the court must find that the defendant has abused the plaintiff and that either there is a danger of further abuse or that the defendant has been convicted of one of the serious offenses listed in the statute and is currently incarcerated.** Examples of those offenses include domestic assault, murder, and lewd and lascivious conduct with a child.

**H.937 would replace “currently incarcerated” with “currently under the supervision of the Department of Corrections.”**

**The proposed change would capture those who have committed serious offenses and are incarcerated, as well as those who serve shorter periods of incarceration and subsequently live in the community on probation or parole.** As the result of plea agreements, it is common for individuals to serve very short sentences, or even no jail time for domestic assault. This revision would ensure that these victims can also avail themselves of civil protections.

Even if a defendant is under Department of Corrections supervision, the risk of harm — and the survivor's fear — can remain very real. In these situations, it may be more difficult for a survivor to meet the threshold of proving a danger of future abuse, even though the underlying conduct was severe and recent. It is important to update this statute, to close this gap and ensure RFAs are accessible to survivors who need them.

Thank you for your time and consideration. I would be happy to provide additional information or answer any questions.