

HB2279
House Committee on Corrections and Juvenile Justice
February 21, 2019
SUPPORT

Chairman Jennings and Members of the Committee:

The Kansas Coalition Against Sexual and Domestic Violence (KCSDV) is a statewide non-profit organization whose membership is the 26 sexual and domestic violence programs serving victims across Kansas. KCSDV provides information; training; and analysis and policy work on issues impacting victims of domestic and sexual violence, their families, and their communities.

KCSDV encourages the passage of HB2279. Over the past 30 years, the legal response to domestic violence has changed dramatically. However, one thing has not changed: domestic violence victims continue to be at risk for serious and lethal violence. HB2279 intends to impact one of the reasons domestic violence victims remain at risk and vulnerable to lethal violence, a lack of notice related to bond.

Despite decades of efforts to educate the community about, and improve responses to, domestic violence, public attitudes towards domestic violence continue to misunderstand women's experiences of violence. Underlying such responses is the stock standard question, 'Why doesn't she leave?' This question points to a lack of understanding about the impacts and threat of violence from an abusive partner on a victim's decisions to leave the relationship. Moreover, it places sole responsibility for ending the relationship squarely upon victims, assuming victims are presented with numerous opportunities to leave a violent relationship and erroneously assumes the violence will cease once they do leave. In fact, we know that the point of separation is the *most violence and lethal* point in a relationship where domestic violence is perpetrated. In 2016, more than 1,800 women were murdered by men in single-victim or single-offender incidents provided to the FBI, and 85% of them were murdered by a man they knew. Nearly 1,000 of them were killed by a current or former intimate partner.

A recent study into "separation violence" shows that fear was a complex influencing factor impacting upon women's decision-making throughout the leaving process.¹ The findings show that women seek to exercise agency within the context of their abusers' coercively controlling

¹ Leaving violence: A study of women's experiences of separation. *Journal of Criminology* (2017).

tactics by strategically attempting to manage the constraints placed on their decision-making and their partner's repeated attempts to reassert dominance and control.

In 2018, a domestic violence victim in Kansas called 911 shortly after 11:00 P.M. to request assistance. She calmly stated that she had been assaulted by her husband who was no longer in the home. Within a few minutes, officers were at her door. They took her statement and sought assistance for her injuries from the medical first responders. She told the officers she had a good idea of where he was and provided them his probable current location. The officers provided her informational pamphlets and left her home in search of the abuser. They found him at a local business. According to law enforcement records, the abuser was arrested just a few minutes after officers left the victim's home. As soon as they left, she packed a bag and went to her parents' home for the night. Early that morning, the abuser tracked her down, banged on the doors and windows until he was let inside, and took his wife, at knifepoint, back to their home where he raped and assaulted her for over 24 hours.

Sadly, this story is not uncommon. And, it was only after the victim sought assistance from a local advocacy services organization, that she was informed of the no-contact order at the time of bond and understood how long a person may be in jail following a domestic violence-related misdemeanor charge. She had no idea. She indicated to the advocates that she believed, once he was arrested, he would be in jail for a longer period of time. She believed she was safe that night at her parent's home.

Victims need information in order to make safer decisions for themselves and their children. This bill will provide essential information necessary for a domestic violence victim to make a safer decision. KCSDV strongly encourages the passage of HB2279.

Respectfully submitted,

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