

SB88
Senate Committee on the Judiciary
February 22, 2019
SUPPORT

Chairman Wilborn 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 supports the passage of SB88. Protection orders are one form of legal intervention available to domestic violence, sexual assault, stalking, and human trafficking victims in order to protect themselves and their children from further harm. However, separation is considered one of the most dangerous times for a victim who is trying to leave a relationship or situation where the other person is threatening, abusing, or stalking them. Violations of protection orders can take many forms, including calling or emailing the victim, having another person call or email to harass a victim, showing up at the victim's home, school or workplace, or ignoring a condition of a court order regarding pre-trial or post-conviction release.

Approximately 20% of the 1.5 million people who are victims of domestic violence, sexual assault, stalking, or human trafficking annually obtain civil protection orders. One-half of protection orders obtained in cases of physical assault, and more than two-thirds of protection orders obtained in cases of rape or stalking, were violated by the defendant.¹ Violations of protection orders can have tragic consequences for victims and their families. For instance, in recent news, a Sedgwick County mother of six was the victim of a murder-suicide after her abusive husband, against whom she had an active protection order, shot and killed her before turning the gun on himself.² This case is one example of many where a perpetrator of domestic violence, sexual assault, stalking or human trafficking violates the protection order in an effort to gain or maintain dominance and control over their partner. This proposed legislation would increase penalties for defendants who violate protection orders and could prevent additional violations.

KCSDV finds it important to recognize that a violation of a protection order is often one key indicator in assessing lethality and risk of harm to the victim. Increased criminal penalties are needed in order to deter defendants from ignoring court orders and to further protect victims of domestic violence, sexual assault, stalking, and human trafficking.

¹ National Institute of Justice and the Centers of Disease Control and Prevention, "Extent, Nature and Consequences of Intimate Partner Violence: Findings from the National Violence Against Women Survey," (2000).

² Sherrell, Krystle. "Mother Killed in Derby Shooting Had Active Protection from Abuse Order against Husband." KSNW, KSNW, 9 Oct. 2018, www.ksn.com/news/local/mother-killed-in-derby-shooting-had-active-protection-order-against-husband/1508461659.

Please send a message to victims in Kansas that their safety and well-being are a priority when setting policy. KCSDV strongly encourages the passage of SB88.

Sincerely submitted on behalf of KCSDV,

Sara Rust-Martin, JD, MSW
Legal and Policy Director
KCSDV
634 SW Harrison Street
Topeka, Kansas 66603
785.232.9784