

WRITTEN TESTIMONY IN SUPPORT
OF
HB 1436

BY

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[Note: I will use male pronouns to describe abusers and female pronouns to describe victims of domestic violence throughout my testimony. I am aware that men can be victims of violence and women can be perpetrators of violence, but the overwhelming majority of my clients are women, as are victims nationwide, and referring to each group with a consistent pronoun will facilitate understanding of this testimony.]

As the Legal Systems Advocacy Attorney for the Lancaster Shelter for Abused Women and the Domestic Violence Legal Clinic, I thank you for this opportunity to submit written testimony in support of HB 1436 for your consideration. Through my work at the domestic violence program in Lancaster, Pennsylvania, I have witnessed the devastation inflicted upon individuals and families whose lives have been affected by domestic violence; I have been forced to explain the limitations of existing laws in protecting victims' confidentiality; and I have attempted to provide rational explanations regarding these limitations to many fearful clients. The passage of HB 1436 would begin to fill the gaps in existing legislation.

Many victims of domestic violence suffer emotional, mental, sexual, or physical abuse for months or years before they have the ability to escape a violent situation. Almost invariably, any type of abuse is accompanied by implicit or explicit threats to destroy, hurt, or kill a victim or her family. Victims of domestic violence are often unable to leave an abuser because they have witnessed the power their abuser possesses, and they have no doubt that this violent person will carry out his threats to pursue the victim relentlessly until he has destroyed her. The abuser is often most threatened and, therefore, most angered by the victim gaining her independence from him, and separation is often the most dangerous time for a victim and her family. A great majority of domestic violence crimes occur during and after separation.

Legislation like HB 1436 is especially important to protect victims of domestic violence. I have represented and counseled countless victims of domestic violence

who would have benefited from this piece of legislation. Many women have told me about their haunting fears of their abuser tracking them or their families after separation and relocation. They have told me of the sleepless nights and paranoia; they have shared stories of overprotecting and sheltering their children for fear the abuser will find the children and kidnap, hurt, or kill them; they have discussed harboring their fear for their own safety and well-being to the point where they find it almost impossible to perform necessary daily functions like going to work, raising their family, and sleeping. They have described how painful and unsettling it has been for them to constantly uproot and relocate themselves or their children whenever they feel that the abuser may be honing in on them. They have discussed the pain and guilt they feel when they relocate and their children are forced to become acclimated to a new school, a new neighborhood, and new friends.

One client told me her story: nine years ago, after years of enduring severe physical abuse inflicted by her husband, she ended up in the trauma unit of a Pennsylvania hospital. Her abuser appeared in her secured and restricted hospital room after telling the guard that he was her brother. She was eventually discharged to the "confidential" address of a domestic violence shelter, but only a few days later her husband was arrested for attempting to break in to that very building. She was constantly aware that her husband had been approaching and threatening her family to reveal her location. She relocated to a shelter in another Pennsylvania town where she established a P.O. Box address to maintain her anonymity. Unfortunately, however, many government agencies require that both mailing and physical addresses are provided, and this victim described to me her fear every time she wrote her physical address in the required space. For example, the woman and her abuser had previously filed joint tax returns, and she fears that he will therefore be able to access her address through the Internal Revenue Service; they owned vehicles titled in joint names, and she fears that he will be able to access her address through the

Department of Motor Vehicles. She does not trust the many employees who have access to this information, who she fears may release her confidential physical address by mistake or through a connection her husband has established. With the ease of accessing location information over the internet, she continues to worry that he will be able to locate her. In addition to her fear, she is forced to financially pay to maintain her P.O. Box address, and she is constantly inconvenienced by the size restriction on packages which can be received in her box. She has considered discontinuing her P.O. Box on a number of occasions over the past nine years, but each time her fear convinces her to maintain it. I asked her if she would have taken advantage of the legislation proposed by HB 1436 had it been enacted while she was separating from her abuser, and without a moment's hesitation, she told me that she would have used it and benefited by it – perhaps physically, and definitely emotionally and mentally.

By choosing a partner or entering into an intimate relationship, many victims are unjustly forced to live lives full of physical, emotional and mental pain. They have not perpetrated any crime – on the contrary, they are victims of horrible and dangerous crimes. Nobody should have to live under these conditions. If a victim escapes an abusive situation, she may be avoiding one evil, but her life may continue to be fundamentally affected by the abuser. Victims of domestic violence are often forced to alter their lives. They often flee their homes in a state of panic or desperation, perhaps without physical belongings such as clothes, personal photographs, and sentimental keepsakes, and they may have no alternative but to abandon their friends and families. They may never feel safe or settled again. Their children may also be forced to live under these conditions and circumstances. They may never again enjoy continuity of personal or professional relationships. They may never again be sure their mail, including bills and personal letters, is being correctly and confidentially forwarded to them. They may never feel sure that their confidential physical address

will not be accidentally or purposefully disclosed to the abuser.

If HB 1436 is passed, it will not ensure a victim's safety and it will not solve all of these problems, but it will be one more safety tool that we can offer to victims of domestic violence. It will be one more step towards reassuring a victim that her location will remain confidential; one more tool to minimize the number of agencies and agency employees which could be the weak link in the confidential chain; one more step towards helping to minimize the risk of detection through carelessness or vindictiveness of someone who possesses her physical address; and one more assurance that will enable her to live a more peaceful life. For these reasons, I am encouraging you to pass HB 1436.

Thank you for your time.

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