

AN ACT TO PENALIZE DOMESTIC ABUSERS

2005-2006 REFILE

Description

- The act would allow district attorneys to seek a felony charge for domestic assault or domestic assault and battery when the situation merits, specifically in the case of a *repeat* batterer.
- Under the current law, the maximum sentence for domestic assault or domestic assault and battery is 2 1/2 years to be served in the House of Corrections.
- Currently prosecutors can pursue felony charges in domestic abuse cases when severe bodily harm occurs.
- Most domestic assault and domestic assault and battery incidents do not rise to the level of severe bodily harm. They are, however, often repetitive in nature and one component of a system of power and control that the perpetrator wields over the victim. Over time, this crime is extremely damaging to victims and their families. Sadly, it is at point of escaping the abuse when a victim is most at risk of being killed by the perpetrator.
- Absent this legislation, repeat batterers will continue to revolve through district court with each incident treated in isolation rather than as the overall system of abuse that these cases represent.

History

- Filed in two previous legislative sessions by Sen. Fred Berry, D.A. Jonathan Blodgett, Rep. Robert Fennell and Sen. Stephen Baddour.
- In the last legislative session, S. 65 passed in the Senate and was referred to the House Committee on Ways and Means favorably reported the bill with an amendment (S. 2326).

