

GOVERNOR SIGNS BILL STRENGTHENING PROTECTION FROM ABUSE ORDERS

WILMINGTON – Joined by law enforcement from various agencies, advocates for victims of domestic violence, Attorney General Beau Biden and sponsors of the legislation, Governor Markell signed HB 336 into law this afternoon at Wilmington Police Department. The measure strengthens protection from abuse orders (PFAs) by extending PFA “no contact” provisions and setting circumstances under which these provisions can be extended for life.

“No one should need to live in fear,” Governor Markell said. “We want anyone who labors under the threat of violence to be able to get the protective order they need, for as long as they need. One of government’s functions is to protect its citizens.”

“Requiring survivors of domestic violence to reapply for the legal protection they deserve is an unnecessary hardship,” Attorney General Biden stated. “Today we are lifting that heavy burden from their shoulders and putting it exactly where it should be – on the perpetrator.”

The new law :

1. Extends the initial maximum duration of most PFA’s from one year to two years
2. Allows the no-contact provision of PFA’s to remain effective throughout the victim’s lifetime in cases where abuse is most egregious, including where a deadly weapon is used, where prior protective orders continue to be violated and/or the court believes there is going and immediate danger

Rep. Michael A. Barbieri (D-Newark), Chairman of the House Health & Human Development and the bill’s prime sponsor, noted that there are no permanent restraining orders in Delaware. The new law, he said, adds that option for cases in which Family Court determines there is a need for such an order.

“One of government’s most important functions is to protect our vulnerable citizens. People who suffer from abuse often struggle with esteem issues and find themselves trapped in an untenable situation,” Rep. Barbieri said. “The current system puts the burden of requesting an extension on the person who is struggling, and that only aggravates the situation. With this new law, we will be better able to protect our most vulnerable citizens while making the system less cumbersome.”

House Bill 336 is co-sponsored by Senate Majority Leader Sen. Patricia M. Blevins (D-Elsmere), Rep. Deborah D. Hudson (R-Fairthorne), and Senate Minority Whip Sen. Liane M. Sorenson (R-Hockessin).

“Expanding the Family Court’s ability to protect victims of domestic violence by extending protection orders is an important step toward helping those victims rebuild

their lives,” said Sen. Blevins, the bill’s chief Senate sponsor. “We need laws like this to send a strong message that we’ll do everything we can to protect victims of domestic violence from further abuse.”

HB 336 was drafted by the Domestic Violence Coordinating Council.