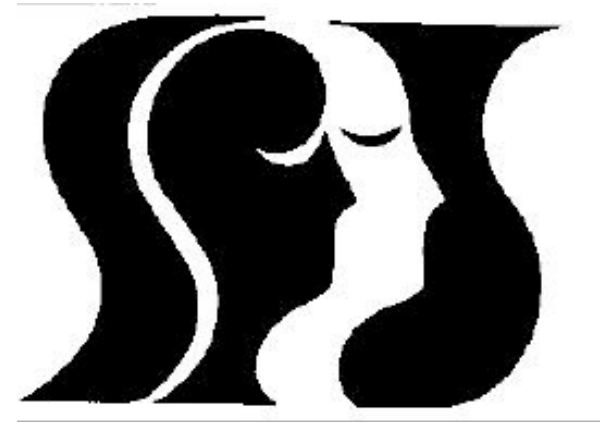




*South Asian Bar Association of  
Connecticut*

# Domestic Violence in the Wake of COVID-19



**SNEHA, INC.**

# Meet the Panel

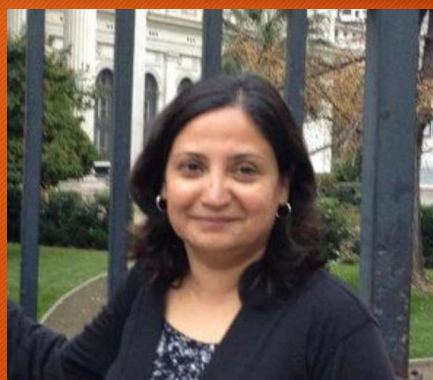


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# Starting with the basics

## What is Domestic Violence

- Does it only include violence amongst partners?
- Is it limited to physical violence

## How does Connecticut define “Family Violence” & “Family Member”?

- *“Family violence means an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault, including, but not limited to, stalking or a pattern of threatening, between family or household members. Verbal abuse or argument shall not constitute family violence unless there is present danger and the likelihood that physical violence will occur.”*

# Power & Control Wheel

<https://youtu.be/5OrAdC6ySiY>

*This concept applies to all kinds of relationships*



- Who can she call? What resources are available to DV victims?
  - Police
  - Domestic Violence Hotline: 1-888-774-2900 (English); 1-844-831-9200 (Spanish)
  - **CTSafeConnect.org** or call (888) 774-2900. Advocates available 24/7.
  - Connecticut Coalition Against Domestic Violence <http://www.ctcadv.org/>
  - Sneha Help Line: 860-537-0795  
Via e-mail : [sneha@sneha.org](mailto:sneha@sneha.org)  
Message Through Facebook page  
<https://www.facebook.com/SNEHAorg/>

What can a  
victim of  
violence do?

# Criminal Protective Orders

- **WHEN?** Courts can issue protective orders whenever a person is arrested for stalking (CGS § 54-1k). Stalking involves the willful and repeated following or lying in wait for another person. A court can also issue a protective order when someone is arrested for 1<sup>st</sup> or 2<sup>nd</sup> degree harassment if the crime victim reasonably feared for his or her safety (CGS § 54-1k).
- **WHAT DOES IT CONTAIN?** Provisions necessary to protect the victim from threats, harassment, injury, or intimidation by the perpetrator, including but not limited to prohibiting him or her from :
  - (1) imposing any restraint on the person or liberty of the victim;
  - (2) threatening, harassing, assaulting, molesting, or sexually assaulting the victim; or
  - (3) entering the victim's dwelling.
- **IF YOU VIOLATE** – It's a crime. Violators of the orders are guilty of a class D felony, punishable by up to five years in prison, a \$5,000 fine, or both (CGS § 53a-223).



# Civil Restraining Orders

- **WHEN?** A family or household member that has been subjected to a continuous threat of present physical pain or physical injury by another family or household member or person in a dating relationship can apply to the Superior Court for a restraining order (CGS § 46b-15).
- **WHAT DOES IT CONTAIN?** Orders to protect the applicant and dependent children or others, including temporary child custody or visitation rights. It can enjoin the person from imposing any restraint on the person or liberty of the applicant; threatening, harassing, assaulting, molesting, sexually assaulting, or attacking the applicant; entering the family dwelling or the applicant's dwelling. The court can issue an immediate ex parte order as appropriate if the applicant alleges immediate and present physical danger.
- **DURATION?** Up to six months and may be extended for additional time as the court finds necessary on the applicant's motion. Violators of the orders are guilty of a class D felony, punishable by up to five years in prison, a \$5,000 fine, or both (CGS § 53a-223b).

# Immigration Complexities

## Application for Employment Authorization for Abused Nonimmigrant Spouse (I-765V)

- Certain abused nonimmigrant spouses may request an employment authorization document (EAD) [admitted in A, E-3, G, or H nonimmigrant status], and you either accompanied or followed to join your abusive nonimmigrant spouse.

## Green Card for VAWA Self-Petitioner

- Under the Federal Violence Against Women Act (VAWA), you may be eligible to become a lawful permanent resident (get a Green Card) if you are the victim of battery or extreme cruelty committed by:
  - A U.S. citizen spouse or former spouse; A U.S. citizen parent; A U.S. citizen son or daughter;
  - A lawful permanent resident (LPR) spouse or former spouse; or
  - An LPR parent.

## Victims of Criminal Activity: U Nonimmigrant Status

- The U nonimmigrant status (U visa) is set aside for victims of certain crimes who have suffered mental or physical abuse and are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity.



# Resources

- <https://jud.ct.gov/lawlib/Law/domesticviolence.htm>
- <https://www.thehotline.org/2020/03/13/staying-safe-during-covid-19/>
  - <https://www.loveisrespect.org/for-yourself/safety-planning/interactive-safety-plan/>
  - <https://www.thehotline.org/help/path-to-safety/>