

**SB 265**  
**Senate Committee on Judiciary**  
**Proponent Testimony**  
**March 6, 2023**

Chairperson Warren and Members of the Senate Committee on Judiciary,

The Kansas Coalition Against Sexual and Domestic Violence (KCSDV) is a statewide non-profit organization whose membership includes 25 sexual and domestic violence programs serving victims across Kansas. KCSDV provides information, training, and analysis on issues impacting victims of domestic and sexual violence, their families, and their communities. KCSDV member programs are committed to providing quality services to victims of sexual assault and domestic violence, empowering victims to live independently without the ongoing fear of violence, and to help victims secure resources necessary for a safe and healthy future.

**KCSDV supports SB 265.** The bill would increase the penalties for second or subsequent violations of a Protection from Abuse Order (PFA) or a Protection from Stalking, Sexual Assault, or Human Trafficking Order (PFSSAHT).

The decision to seek a protection order is difficult for a victim. While intended to provide safety to a victim, the act of filing a petition for a protection order can be dangerous in itself. 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. Victims must engage in safety planning before, during, and after the protection order legal process because it can increase their chances of being harmed or killed by their abuser.

After a protection order is issued, the victim may or may not feel safer. The risk of their abuser violating the protection order is always present. Currently, such a violation is traumatic and harmful to the victim but is only punishable as a Class A misdemeanor, which could lead to jail sentence of not more than one year. The bill would increase a second or subsequent violation to a level 7, person felony, which would be presumptive imprisonment under the sentencing grid. Additionally, a felony conviction would lead to more serious consequences, such as the loss of voting rights or the ability to purchase or possess firearms.

This increase in penalty could benefit victims in two ways. It would show them that protection orders truly are important and violations will be taken seriously. It could also serve as a deterrent for abusers. The potential of a felony conviction and all the potential consequences of such could prevent some abusers from violating that order and further harassing or harming victims.



634 SW Harrison  
Topeka, KS 66603  
785-232-9784

coalition@kcsdv.org  
kcsdv.org  
facebook.com/KCSDV

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.

KCSDV respectfully requests the Committee support the passage of SB 265.

Thank you,

Jessa Farmer, JD  
Public Policy Coordinator  
634 SW Harrison  
Topeka, KS 66603  
(785) 232-9784