

Taneeka Hansen

From: Andy Harrington <aharrington13@hotmail.com>
Sent: Tuesday, March 22, 2016 9:55 PM
To: Rep. Adam Wool; Rep. Liz Vazquez; Rep. Geran Tarr; Rep. Neal Foster; Rep. Paul Seaton;
Rep. Louise Stutes; Rep. David Talerico
Subject: HB 334

Categories: Taneeka

Good evening Rep. Wool, xc Reps. Seaton, Vazquez, Foster, Stutes, Tarr, and Talerico,

Thank you again for your consideration of the testimony on HB 334 this afternoon. I did take note of Rep. Wool's last comment following my testimony and, although I understand that the number of witnesses precluded an opportunity to respond, I did want to offer my observations on your comment that restricting access to one's child may not be the appropriate punishment for violating a restraining order.

I agree that a judge in a divorce or custody case shouldn't ever, and wouldn't ever, restrict access to a parent's child as "punishment," and I do not believe that this was the purpose underlying the insertion of the domestic violence presumptions into the custody statutes years ago. Punishments are the province of a criminal case. Restrictions in a child custody case on a domestic violence perpetrator's time with the children are not imposed to punish that person, but because, as the Alaska Supreme Court noted in a 1997 case, "It is well-documented that witnessing domestic violence . . . has a profound impact on children. There are significant reported psychological problems in children who witness domestic violence, especially during important developmental stages." Children who observe a parent acting in an abusive or threatening manner towards the other parent (or indeed towards anyone else) get the mistaken, but all too often indelible, misapprehension that this is how adult relationships are supposed to work. This harms, not only the children, but the grandchildren as well, as the inter-generational role-modeling keeps cycling.

It's been my observation, when I've advised parents who face these restrictions on visitation, that some take the attitude "I'm willing to go through whatever hoops, whatever inconveniences, whatever hurdles are being put in my way for the sake of my kids," and these parents by and large succeed in getting restrictions lifted soon, with or without a lawyer, and in the long run are apt to wind up enjoying a constructive and positive relationship with their children. There are others that take the attitude "no effing judge and no effing ex-spouse is going to tell me that I can't see my kids," treating their relationship with their kids as an entitlement of which they are being deprived, rather than as an important element of their children's lives which they should be striving to fulfill. When I am able to persuade a parent to resign from the second group and join the first, I feel like those kids are better off.

Anyway, thank you again for your time, and that of the other committee members, this afternoon. These domestic violence issues have got to remain high priority items for the legislature, and notwithstanding the fact that I think passage of this bill would be a negative, I appreciate the fact that legislators' attention is being drawn to this issue, as I think DV remains of paramount importance in our state.

I hope the rest of the session goes well.

Kind Regards,
Andy Harrington