

# Holidays Bring Rise in Restraining Orders

**The Daily News**  
**December 14, 2007**

**By Angeljean Chiaramida**  
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SEABROOK - The week after Thanksgiving, Hampton District Court received five petitions for domestic abuse related restraining orders, said Assistant Clerk of Court Belle Coyne.

"These were serious cases," Coyne said. "The women involved were pretty badly beaten. We've had two or three a week since then, but that week we had the most so far."

Although Coyne personally enjoys the winter holidays, professionally she knows the stress holidays too often bring that results in violent flare-ups in households, especially those with established domestic abuse issues. It's been a history she's witnessed during her years serving the court.

"I've come to hate this time of year," she said.

Restraining orders are legal orders meant to keep violent individuals away from those they abuse, whether it be children, parents, the elderly, spouses or others. All restraining orders mean abusers can in no way come in contact with those they've abused. They can't physically go near the individual granted the order, Coyne said, nor can they write, e-mail, call or get in touch in any way. They can't so much as call to find out where their paychecks are, Coyne said, nor get their belongings, nor visit the kids for Christmas unless they get the court's permission and have a police escort.

"That's where (abusers) can end up violating the orders," Coyne said.

Violating restraining orders is serious business to law enforcement officials. Police are mandated to enforce all restraining orders, even those issued by courts in other states, said Seabrook's police prosecutor Scott Mendes.

"If they violated the order, we have to arrest them if we find probable cause, and they'll sit in jail until they have a hearing before the judge," Mendes said. "That means if they violated the order on Thanksgiving (a Thursday), they sat in jail until the next time court was held, which was the following Monday."

The state put teeth into its laws related to restraining orders in 2004, Mendes said. A violation of a restraining order could get the violator up to a year in jail for the first offense, he said.

"The first time someone violates a restraining order, he can be charged with an A misdemeanor," Mendes said. "That carries a possible maximum (sentence) of one year in jail and a \$2,000 fine if convicted. And once the A misdemeanor is brought, it can't be reduced. The law allows us to bring the first violation as a B misdemeanor, but I always bring it as an A. I don't think you mess around with restraining orders."

After a conviction for an A misdemeanor for violating a restraining order, if the individual does it again within six years, that charge can be brought as a B felony, Mendes said. For someone convicted of a B felony, Mendes said it could mean 3 1/2 to 7 years in jail.

Steve O'Connell, spokesman for Essex County District Attorney Jonathan Blodgett, said that last week Ipswich District Court Judge Allen Swan threw a Hamilton man back in jail, revoking his probation for repeatedly violating a restraining order to stay away from his former wife, who he'd abused for 15 years.

John Thissell, 43, had already served three years in jail after being convicted of several domestic abuse related charges stemming from 2004 attack on his then wife, O'Connell said. When he was released from jail on probation, Thissell had to wear an electronic monitoring device and was told to have absolutely no contact with his former wife.

"That included not going into certain zones, like the one that surrounds where the woman works," O'Connell said yesterday. "But, he repeatedly went into those zones. Then he went to Crane's Beach and put the (monitoring device) in the ocean, which rendered it useless. Our prosecutor, his probation officer and the judge had enough. They yanked his probation, and he'll do another 2 1/2 years in jail."

Blodgett is trying to get the Massachusetts legislature to double the maximum sentences for dangerous, repeat domestic offenders to five years. Massachusetts deaths from domestic abuse have risen to 51 this year, which shatters the state's past record of 39.

"In our day and age to know we've broken the record on domestic abuse deaths is both outrageous and mind numbing," Blodgett said yesterday.

After his research, Blodgett found there are repeat abusers who just don't get it. These individuals are given chance after chance from the judicial system to straighten out after dangerous and sequential attacks of their victims, he said. They're sent to anger management and batterers programs, but they just keep battering. About 60 percent of these repeat offenders have eight or nine different people who've been forced to take restraining orders out against them. And these abusers continue to abuse.

"With serial abusers, domestic abuse is murder waiting to happen," Blodgett said.

With the current maximum sentence of 2 1/2 years, Blodgett said the sentence doesn't imply the seriousness of domestic violence in these cases. A five-year sentence would do two things, he said.

"First, it gets these people off the streets for five years," Blodgett said. "Second, it gives their victims more time to get their lives back to a normal. It gives their victims more time to heal."

## READER'S BOX

### **HELP FOR DOMESTIC VIOLENCE VICTIMS**

#### **In emergencies, dial 911 immediately**

The Daily News provides the information below for those who are in violent situations or those who know others who are. We encourage readers to clip out this information to have on hand when the need presents itself.

#### **Rockingham County, N.H.**

Emergency shelter, counseling, support groups, educational programs, advocacy support, linkage to legal assistance:

A Safe Place (24-hour toll free hot line: 1-800-854-3552)

To obtain restraining order:

Hampton District Court, Ledge Road, Seabrook (603-474-2637) Monday through Friday, 8 a.m. to 4 p.m.

#### **Greater Newburyport**

Emergency shelter, children's services, legal advocacy, counseling, support groups, teenage dating violence, rapid response team support:

Jeanne Geiger Crisis Center, 5 Market Square, Amesbury, and 2 Harris St., Newburyport (24-hour hot line: 978-388-1888)

**Georgetown/Haverhill**

Covering Georgetown and Haverhill, emergency shelter, legal advocacy, counseling, support groups services

\* Georgetown Domestic Abuse Rapid Response Team (24-hour hot line: 978-352-5700)

\* Women's Resource Center at the YWCA of Haverhill (24-hour hot line: 978-373-4041)

All hot lines are confidential; services are free.