

RE: Written Testimony, House Bill 2586

This bill is a giant change to the restraining order statutes. It allows any person to take a restraining order out against any other person, regardless of relationship. Any bill of this magnitude should have significant work done by stakeholders from all sides if it should move forward at all.

Stalking Order statutes and existing restraining order statutes provide significant opportunity for orders of restraint. These laws are sufficient, and unfortunately, the existing laws are often abused. Application of these laws is a balancing act between allowing legitimate orders of restraint to go into effect and weeding out requests that are not legitimate or were requested for purposes such as securing housing funds.

This balancing act has taken years to work out. The appellate courts have reviewed dozens of cases that provide guidance about what constitutes legitimate abuse and what does not. The bench and the bar use this guidance to apply the law.

House Bill 2586 upsets this balance by vastly expanding the eligibility for who can take out a restraining order. All with a preponderance burden. The result will be significantly more litigation and significantly more abuse. This bill should not move forward.

Thank you for your time.

Best Regards,



Jesse Lohrke