

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: SB-5

AN ACT CONCERNING ONLINE DATING OPERATORS, ONLINE CHILD GROOMING AND HARASSMENT, DOMESTIC VIOLENCE TRAINING AND PROTECTIONS FOR VICTIMS OF FAMILY VIOLENCE AND DOMESTIC

Title: VIOLENCE.

Vote Date: 3/31/2022

Vote Action: Joint Favorable Substitute

PH Date: 3/21/2022

File No.: 516

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SPONSORS OF BILL:

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[Sen. Bob Duff, 25th Dist.](#)

[Sen. Saud Anwar, 3rd Dist.](#)

[Sen. Jorge Cabrera, 17th Dist.](#)

[Sen. Steve Cassano, 4th Dist.](#)

[Sen. Christine Cohen, 12th Dist.](#)

[Sen. Mary Daugherty Abrams, 13th Dist.](#)

[Sen. Mae Flexer, 29th Dist.](#)

[Sen. John W. Fonfara, 1st Dist.](#)

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[Sen. Julie Kushner, 24th Dist.](#)

[Sen. Matthew L. Lesser, 9th Dist.](#)

[Sen. Rick Lopes, 6th Dist.](#)

[Sen. Patricia Billie Miller, 27th Dist.](#)

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[Sen. Gary A. Winfield, 10th Dist.](#)

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[Rep. Hubert D. Delany, 144th Dist.](#)

REASONS FOR BILL:

Bill aims to establish several provisions to support victims of family or domestic violence. This includes requirements for identification on dating apps, establishing child grooming as a crime, creating grant programs to prevent criminal activity online, requiring domestic violence training for state employees, expanding assistance to children subjected to domestic violence, and prohibiting discrimination against victims of domestic or family violence.

SUBSTITUTE LANGUAGE: Language in Section 1 was changed to increase clarity regarding the bill's purpose. Language was added in Section 2(b) to ensure that foreign users of dating apps would be able to provide appropriate identifying documentation. In Section 10(g) "Equal Opportunity Employment Commission" was changed to "Equal Employment Opportunity Commission" for accuracy.

RESPONSE FROM ADMINISTRATION/AGENCY:

Commission on Human Rights and Opportunities:

Offers comments on the bill. States that Section 7 would clarify previous legislation that set the number of employees an employer must have before providing training regarding domestic abuse. This loophole left a large part of the working population vulnerable and will be rectified through this bill. Additionally, they comment on Section 10, which would rectify a loophole through which elected officials and their government entities were able to escape coverage from sexual harassment laws. The bill would close this loophole and make it clear that elected officials cannot use their position to harass others. They express general support for sections 8-10. The testimony draws attention to a change the bill would make concerning previous statutes which only made harassment actionable if it "substantially" interfered with someone's work. They state that action must be taken even if a victim is doing their best to prevent their victimizer from interfering with their work. Finally, the testimony expresses support for subsections (f) and (g) of subsection 10 which concern agreements that would have prevented individuals from filing complaints with or testifying before CHRO. Testimony ends by expressing strong support for the provisions mentioned.

Division of Criminal Justice:

The testimony claims that they will take no position on the large majority of the bill, but raise points concerning Sections 5-6. The Division comments that many of the provisions in Section 5 are already covered in the State's Risk of Injury Statute. They do not oppose this section but recommend that a study be conducted to ensure that such conduct is covered in a collaborative manner. Recommendations from this study could be considered during the next legislative session. Regarding Section 6, the Division points out that additional funding would be necessary to administer grants as is described in the bill.

Department of Consumer Protection - Seagull, Michelle - Commissioner:

Testimony offers comments on Sections 1-4 of the bill, which concern identity verification when using dating apps. DCP expresses appreciation for the goals of the bill, claiming that protecting victims of fraudulent activity online is important. Additionally, due to the extensive

nature of the bill, DCP would need to request additional resources in order to enforce it adequately.

Judicial Branch:

The Judicial Branch's testimony concerns Section 5 of the bill and claims that the implementation of the penalty structure established would be difficult as it is currently written. The testimony requests that instead, penalties directly related to the crime of child grooming be established.

Office of Chief Public Defender - Sullivan, Deborah Del Prete - Legal Counsel:

Express serious concerns with Section 5 of the bill, stating that a broad proposal was not recommended. Instead, it is recommended that a working group be created and tasked with crafting legislation that is agreed on by those who have previously worked on trafficking legislation.

NATURE AND SOURCES OF SUPPORT:

**The Network Against Domestic Abuse - O'Connor, Karen Foley,
Domestic Violence Crisis Center - Adam, Suzanne,
Communications Ct Coalition Against Domestic Violence - Andrews, Liza - Director of
Public Policy,
Women's Support Services - Ciano, Linda - Director of Community Engagement,
Susan B. Anthony Project - Donovan, Alisha - Program Director,
Interval House - Foster, Mary-Jane - President and CEO,
Safe Haven, Greater Waterbury - Schlesinger, Lee - Executive Director,
Center for Family Justice - Schlingheyde, Angela - Director of Civil Legal Court
Advocacy Services:**

The organizations listed above offer similar testimony in support of the bill, specifically Sections 8-10, 13-23, and 26-27. The testimony begins by offering support for Sections 26-27. The testimony states that currently Connecticut does not provide enough funding for programs in the domestic violence service system. For less than 0.01% of the state's budget these programs would be able to make a large impact on the lives of victims, particularly children, of domestic abuse. The Domestic Violence Crisis Center claims that the pandemic has isolated victims of domestic abuse, exacerbating issues both mental and physical. Additionally, they claim that, during the pandemic, length-of-stay in their safe houses tripled. Support for Sections 8-9 is offered. The testimony states that employers should play a large role in protecting their employees through creating an environment of support and resilience. Additionally, the training proposed in these sections would increase the safety of state employees and save millions of dollars through erasing drops in productivity due to harassment or assault. Comments in support of Sections 10 and 13-23 are also provided. These sections would create a protected class for victims of domestic abuse, shoring up vulnerabilities in individuals' lives. Currently, victims are only able to file discrimination complaints on the basis of gender or race. Ensuring stability in a victim's professional life is of paramount importance in providing them an opportunity to remove themselves from a potentially dangerous environment.

Match Group - Buse, Mark - Vice President:

Offers testimony highlighting the focus dating apps take on user safety and security. The testimony offers support for the bill, stating that historically the MGAG has supported legislation which aims to increase user safety online. The testimony raises concerns over privacy and discrimination against the LGBTQ community, stating that the mandatory collection and storage of user data would be a violation of privacy and have an extremely

negative impact on the LGBTQ community. The testimony also has concerns over the narrow scope of the bill, stating that the bill ignores evidence which shows that a large portion of victims of romance scams come from Facebook and Instagram, which would not be affected by the bill. The testimony ends with a pledge to work with members of the committee to increase safety for all users.

Connecticut Women’s Education and Relief Fund - Granato, Madeline - Policy Director:

Offers testimony in strong support of the bill, stating that they specifically support initiatives to strengthen provisions for victims of domestic violence in the workplace. They claim that the emotional and physical impact of domestic violence often carries over negatively into the workplace. Financial dependence on abusers can prevent victims from escaping dangerous situations. The testimony expresses support for Sections 8-9, which mandate domestic violence training for all state employees. Finally, the testimony expresses support for the expansion of antidiscrimination statutes.

Connecticut Alliance to End Sexual Violence - Hamilton, Bethany - Executive Director:

Offers testimony in support of the bill, specifically in efforts to define and draw attention to the prevalence of grooming as a tactic for abuse and control. Despite this the testimony questions whether the provisions of the bill would increase accountability for actions aiming to sexually harm children before said harm occurs. The testimony also expresses support for provisions relating to individuals who harm others on dating apps be identified and held accountable as well as the removal of barriers relating to sexual harassment claims. The testimony requests a victim-centered approach to non-disclosure agreements. This would be accomplished through preventing employers to require the signage of NDAs as conditions to maintain employment, report or investigate workplace harassment, or as a mandatory part of a settlement. Additionally, employers would be prevented from requiring documentation ensuring that a victim is signing an NDA willingly. Victims would be ensured the ability to lodge complaints of sexual harassment with agencies, comply with valid requests for discovery, and exercise rights individuals have prior to labor laws. Finally, support is expressed for protection from discrimination for those who are victims of family violence, and a request is issued for the expansion of these elements to other victims of violent crimes.

Eleventh District - Looney, Martin - Senate President Pro Tempore & Senate Democrats:

Senator Looney and Senate Democrats offer similar testimony in support of the bill. The testimony begins by establishing that it is the State’s responsibility to protect children in violent households. Further support is expressed for a program that will ensure funding to new advocates that assist children in homes with domestic violence. The testimony also submits support for provisions requiring employers to make reasonable accommodations for employees that are victims of domestic violence. The testimony expresses support for Sections 1-6. This support begins with Sections 1-4, which would combat online abuse through requiring the verification of users of dating apps. Section 5, which would establish “child grooming” as a crime, is praised. Support is also offered for Section 6 which creates a training and education program to prevent online abuse. The testimony continues by expressing support for provisions that would make employers liable for sexual harassment in the workplace through the removal of language requiring harassment to be “substantial” in interfering with an individual’s work. A final statement is given, summarizing the provisions of the bill as those that would help victims by extending assistance in times of need and preventing injustices before they occur.

Anti-Defamation League Connecticut - Sobel, Stacey:

ADL’s testimony expresses support for attempts to end online hate and applaud the committee for continuing to make said attempts a priority. The testimony states that the

provisions of Section 6 will support ongoing efforts that attempt to educate individuals on cyber-safety and combat online hate.

Violent Crime Survivors - Voight, Michele:

Offers testimony expressing strong support for the bill in its entirety. Support for Section 1 is expressed, and statistics regarding the number of crimes perpetrated by internet predators annually are offered (100 murders, 16,000 abductions, and thousands of sexual assaults). General support is offered for Sections 5, 7, and 10. The testimony urges the committee to add other victims of violent crimes to the protected class established in Section 10. The testimony expresses support for Section 25, which would secure additional funding for domestic violence, child, and family advocates, citing a number of adverse conditions that children suffer from as a result of intimate partner violence (typically in the household) including increased risk of psychological, social, emotional and behavioral problems. The testimony further claims that the prevalence of intimate partner violence and the lasting effect it has on children makes trauma-informed intervention a priority.

NATURE AND SOURCES OF OPPOSITION:

Restorative Action Alliance - Osmun, Andrew - Member:

Offers testimony in opposition to the bill, specifically citing Section 5's broad definition of grooming. The testimony claims that this could have chilling effects on appropriate interactions between adults and children. The testimony states that expanding the criminal code will further the rise of mass incarceration and claim that a system focused on education and healing should instead be the goal.

One Standard of Justice - Prizio, Cindy - Executive Director:

Offers testimony in opposition to the bill, offering a move from a punitive justice system to one focused on restorative practices. The testimony states that a public health approach would be more effective in addressing survivors of domestic and family trauma. The testimony insists that restorative justice and practices are utilized to teach affected adults to work civilly in raising their children.

OTHER:

Godbout, David:

Offers testimony opposing the bill, stating that the virtual committee process constitutes a violation of his Fourth Amendment rights.

Love146 - Williamson, Erin - Vice President of Global Programs and Strategy:

Offers testimony in reference to Section 5 of the bill, stating that they are very concerned over the act of grooming as it relates to children. The testimony states that although child predators should be held accountable, they have concerns that the broad nature of the language in the bill could lead to unintended consequences. The testimony gives the example of minors engaging in normative relationships with their peers potentially being misconstrued as grooming as an unintended consequence. The testimony offers that a working group be created to develop alternative language which is agreed upon by all stakeholders. The testimony states that this action will allow child predators to be held responsible for their actions in an effective way.

Reported by: Trenton Kapij

Date: 4/19/2022