



General Assembly

**Amendment**

February Session, 2024

LCO No. 4907



Offered by:

REP. BOYD, 50<sup>th</sup> Dist.

REP. HOWARD, 43<sup>rd</sup> Dist.

To: Subst. House Bill No. 5399

File No. 287

Cal. No. 204

**"AN ACT CONCERNING THE CRIMINAL JUSTICE RESPONSE TO VICTIMS OF SEXUAL ASSAULT."**

1 Strike sections 1 and 2 in their entirety and substitute the following  
2 in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2024*) (a) There is established a  
4 Sexual Assault Criminal Justice Response, Enhancement and Model  
5 Policy Advisory Council for the purpose of evaluating the current  
6 criminal justice response to incidents of sexual assault involving adult  
7 victims and establishing a model policy for the criminal justice response  
8 to such sexual assaults. In developing such model policy, the council  
9 shall conduct such examinations as the council deems appropriate,  
10 including, but not limited to, evaluating the:

11 (1) Policies and procedures used by law enforcement agencies when  
12 responding to such incidents of sexual assault;

13 (2) Accuracy of data collected by the Department of Emergency

14 Services and Public Protection and the Court Support Services Division  
15 of the Judicial Branch, and collecting and analyzing any additional data  
16 related to such sexual assaults and the criminal justice response  
17 available from Judicial Branch court operations, state's attorneys, public  
18 defenders, sexual assault victim advocates or operators of programs for  
19 sexual assault offenders;

20 (3) Risk assessments used throughout such sexual assault cases from  
21 arrest through adjudication;

22 (4) Arrest, prosecution, penalties and monitoring for violations of  
23 civil protection orders issued pursuant to section 46b-16a of the general  
24 statutes or criminal protective orders issued pursuant to section 54-1k  
25 or 54-82r of the general statutes that relate to such sexual assaults;

26 (5) Programming offered to individuals who have been convicted of  
27 a sexual assault crime and are currently incarcerated with the  
28 Department of Correction; and

29 (6) Training and education for criminal justice stakeholders.

30 (b) The council shall consist of the following members:

31 (1) One appointed by the speaker of the House of Representatives;

32 (2) One appointed by the president pro tempore of the Senate;

33 (3) One appointed by the majority leader of the House of  
34 Representatives, who shall be a municipal police officer with experience  
35 providing training related to sexual assaults;

36 (4) One appointed by the majority leader of the Senate, who shall be  
37 a representative of a community-based organization that provides  
38 group counseling or treatment to persons who have committed acts of  
39 sexual assault;

40 (5) One appointed by the minority leader of the House of  
41 Representatives;

- 42 (6) One appointed by the minority leader of the Senate;
- 43 (7) One appointed by the Governor;
- 44 (8) The chairperson of the Police Officer Standards and Training  
45 Council, or the chairperson's designee;
- 46 (9) The Chief State's Attorney, or the Chief State's Attorney's  
47 designee;
- 48 (10) The Chief Public Defender, or the Chief Public Defender's  
49 designee;
- 50 (11) The Victim Advocate, or the Victim Advocate's designee;
- 51 (12) Two appointed by the Commissioner of Emergency Services and  
52 Public Protection, one of whom shall be a representative of the Division  
53 of State Police with experience providing training related to sexual  
54 assault, and one of whom shall be a commanding officer within the  
55 Division of State Police;
- 56 (13) Four appointed by the Chief Court Administrator, one of whom  
57 shall be a judge of the Superior Court assigned to hear criminal matters,  
58 one of whom shall be a family relations counselor or supervisor within  
59 the Court Support Services Division of the Judicial Branch, one of whom  
60 shall be an administrator within the Court Support Services Division of  
61 the Judicial Branch and one of whom shall be an administrator of the  
62 Office of Victim Services within the Judicial Branch;
- 63 (14) Four appointed by the chief executive officer of the Connecticut  
64 Alliance to End Sexual Violence, one of whom shall be a victim of sexual  
65 assault, one of whom shall be a victim advocate with courtroom  
66 experience in sexual assault matters, one of whom shall be an executive  
67 director of a community-based organization that provides direct  
68 services to persons impacted by sexual assault and one of whom shall  
69 be a representative of the Connecticut Alliance to End Sexual Violence;
- 70 (15) One representative from an association of police chiefs in

- 71 Connecticut, appointed by the president of such association;
- 72 (16) The Secretary of the Office of Policy and Management, or the  
73 secretary's designee;
- 74 (17) The chairperson of the Board of Pardons and Paroles, or the  
75 chairperson's designee;
- 76 (18) The Commissioner of Emergency Services and Public Protection,  
77 or the commissioner's designee; and
- 78 (19) The Commissioner of Correction, or the commissioner's  
79 designee.
- 80 (c) Any member of the council appointed under subdivision (1), (2),  
81 (5) or (6) of subsection (b) of this section may be a member of the General  
82 Assembly.
- 83 (d) All members of said council shall be appointed on or before  
84 October 1, 2024, and quadrennially thereafter, to serve for a term of four  
85 years. Any member may be reappointed, and any member may continue  
86 to serve until such member's successor is appointed and qualified. Any  
87 vacancy shall be filled by the appointing authority.
- 88 (e) The members of the council shall select two chairpersons of the  
89 council from among the members of the council. Said chairpersons shall  
90 be responsible for scheduling the meetings of the council.
- 91 (f) The council shall be within the Legislative Department. The  
92 administrative staff of the joint standing committee of the General  
93 Assembly having cognizance of matters relating to public safety and  
94 security shall serve as administrative staff of the council.
- 95 (g) The council shall develop the initial model policy described in  
96 subsection (a) of this section and submit such policy to the Police Officer  
97 Standards and Training Council not later than July 1, 2025, and shall  
98 review and, if deemed necessary, update such policy and submit any  
99 such update to the Police Officer Standards and Training Council

100 annually thereafter.

101 (h) Not later than August 1, 2025, and annually thereafter, the Police  
102 Officer Standards and Training Council shall (1) review the model  
103 policy and any updates submitted to the council pursuant to subsection  
104 (g) of this section, (2) approve such model policy and updates, with or  
105 without modifications, and (3) distribute to each law enforcement unit,  
106 as defined in section 7-294a of the general statutes, the model policy  
107 with any updates and modifications.

108 (i) Not later than September 1, 2025, and annually thereafter, each law  
109 enforcement unit shall adopt and maintain a written policy that meets  
110 or exceeds the standards of the version of the model policy most recently  
111 distributed pursuant to subsection (h) of this section.

112 (j) Not later than September 1, 2025, and annually thereafter, the  
113 Police Officer Standards and Training Council shall submit a report, in  
114 accordance with the provisions of section 11-4a of the general statutes,  
115 to the joint standing committees of the General Assembly having  
116 cognizance of matters relating to the judiciary and public safety and  
117 security. The report shall include any recommendations for statutory or  
118 policy changes within the purview of the council, any updates or  
119 modifications to the model policy described in subsection (a) of this  
120 section and any recommendations related to programs for sexual assault  
121 offenders.

122 Sec. 2. (NEW) (*Effective October 1, 2024*) It shall be the responsibility  
123 of the police officer, as defined in section 7-294a of the general statutes,  
124 at the scene of an incident of sexual assault involving an adult victim, or  
125 at the time of the filing of a complaint of such an incident, to provide  
126 immediate assistance to such victim. Such assistance shall include, but  
127 need not be limited to:

128 (1) Assisting the victim to obtain medical treatment if such treatment  
129 is required;

130 (2) Informing the victim of services available, including providing the

131 victim with (A) contact information for a regional sexual assault  
132 organization that employs, or provides referrals to, counselors who are  
133 trained in providing trauma-informed care, and (B) a copy of the  
134 information concerning services and resources available to victims of  
135 sexual assault published pursuant to section 10-10g of the general  
136 statutes, as amended by this act;

137 (3) If there is a child at the scene or present at the time of the filing of  
138 a complaint, and such child's parent or guardian is also present,  
139 providing such parent or guardian with a copy of the documents  
140 concerning behavioral and mental health evaluation and treatment  
141 resources available to children developed pursuant to section 17a-22r of  
142 the general statutes for the appropriate mental health region; and

143 (4) Referring the victim to the Office of Victim Services within the  
144 Judicial Branch."