



General Assembly

Amendment

February Session, 2024

LCO No. 4574



Offered by:

REP. BOYD, 50th Dist.

REP. DIGIOVANCARLO, 74th 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 family violence restraining orders issued pursuant to section 46b-15 of
24 the general statutes, civil protection orders issued pursuant to section
25 46b-16a of the general statutes, or criminal protective orders issued
26 pursuant to section 46b-38c, 54-1k or 54-82r of the general statutes, that
27 relate to such sexual assaults;

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

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

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

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

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

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

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

42 (5) One appointed by the minority leader of the House of
43 Representatives;

44 (6) One appointed by the minority leader of the Senate;

45 (7) One appointed by the Governor;

46 (8) The chairperson of the Police Officer Standards and Training
47 Council, or the chairperson's designee;

48 (9) The Chief State's Attorney, or the Chief State's Attorney's
49 designee;

50 (10) The Chief Public Defender, or the Chief Public Defender's
51 designee;

52 (11) The Victim Advocate, or the Victim Advocate's designee;

53 (12) Two appointed by the Commissioner of Emergency Services and
54 Public Protection, one of whom shall be a representative of the Division
55 of State Police with experience providing training related to sexual
56 assault, and one of whom shall be a commanding officer within the
57 Division of State Police;

58 (13) Four appointed by the Chief Court Administrator, one of whom
59 shall be a judge of the Superior Court assigned to hear criminal matters,
60 one of whom shall be a family relations counselor or supervisor within
61 the Court Support Services Division of the Judicial Branch, one of whom
62 shall be an administrator within the Court Support Services Division of
63 the Judicial Branch and one of whom shall be an administrator of the
64 Office of Victim Services within the Judicial Branch;

65 (14) Four appointed by the chief executive officer of the Connecticut
66 Alliance to End Sexual Violence, one of whom shall be a victim of sexual
67 assault, one of whom shall be a victim advocate with courtroom
68 experience in sexual assault matters, one of whom shall be an executive
69 director of a community-based organization that provides direct
70 services to persons impacted by sexual assault and one of whom shall

- 71 be a representative of the Connecticut Alliance to End Sexual Violence;
- 72 (15) One representative from an association of police chiefs in
73 Connecticut, appointed by the president of such association;
- 74 (16) The Secretary of the Office of Policy and Management, or the
75 secretary's designee;
- 76 (17) The chairperson of the Board of Pardons and Paroles, or the
77 chairperson's designee;
- 78 (18) The Commissioner of Emergency Services and Public Protection,
79 or the commissioner's designee; and
- 80 (19) The Commissioner of Correction, or the commissioner's
81 designee.
- 82 (c) Any member of the council appointed under subdivision (1), (2),
83 (5) or (6) of subsection (b) of this section may be a member of the General
84 Assembly.
- 85 (d) All members of said council shall be appointed on or before
86 October 1, 2024, and quadrennially thereafter, to serve for a term of four
87 years. Any member may be reappointed, and any member may continue
88 to serve until such member's successor is appointed and qualified. Any
89 vacancy shall be filled by the appointing authority.
- 90 (e) The members of the council shall select two chairpersons of the
91 council from among the members of the council. Said chairpersons shall
92 be responsible for scheduling the meetings of the council.
- 93 (f) The council shall be within the Legislative Department. The
94 administrative staff of the joint standing committee of the General
95 Assembly having cognizance of matters relating to public safety and
96 security shall serve as administrative staff of the council.
- 97 (g) The council shall develop the initial model policy described in
98 subsection (a) of this section and submit such policy to the Police Officer

99 Standards and Training Council not later than July 1, 2025, and shall
100 review and, if deemed necessary, update such policy and submit any
101 such update to the Police Officer Standards and Training Council
102 annually thereafter.

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

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

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

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

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

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

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024</i>	New section
Sec. 2	<i>October 1, 2024</i>	New section