



General Assembly

Substitute Bill No. 5399

February Session, 2024



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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

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

9 (1) Policies and procedures used by law enforcement agencies when
10 responding to incidents of sexual assault;

11 (2) Accuracy of data collected by the Department of Emergency
12 Services and Public Protection and the Court Support Services Division
13 of the Judicial Branch, and collecting and analyzing any additional data
14 related to sexual assault and the criminal justice response available from
15 Judicial Branch court operations, state's attorneys, public defenders,
16 sexual assault victim advocates or operators of programs for sexual
17 assault offenders;

18 (3) Risk assessments used throughout a sexual assault case from
19 arrest through adjudication;

20 (4) Arrest, prosecution, penalties and monitoring for violations of
21 family violence restraining orders issued pursuant to section 46b-15 of
22 the general statutes, civil protection orders issued pursuant to section
23 46b-16a of the general statutes, or criminal protective orders issued
24 pursuant to section 46b-38c, 54-1k or 54-82r of the general statutes, that
25 relate to a sexual assault;

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 in 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 in training related to sexual assault, and
54 one of whom shall be a commanding officer within the Division of State
55 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 for the criminal
96 justice response to sexual assault described in subsection (a) of this
97 section and submit such policy to the Police Officer Standards and
98 Training Council not later than July 1, 2025, and shall update such policy
99 and submit any such update to the council annually thereafter.

100 (h) Not later than August 1, 2025, and annually thereafter, the Police

101 Officer Standards and Training Council shall (1) review the model
102 policy and any updates submitted to the council pursuant to subsection
103 (g) of this section, (2) approve such model policy and updates, with or
104 without modifications, and (3) distribute to each law enforcement unit,
105 as defined in section 7-294a of the general statutes, the model policy
106 with any updates and modifications.

107 (i) Not later than September 1, 2025, and annually thereafter, each law
108 enforcement unit, as defined in section 7-294a of the general statutes,
109 shall adopt and maintain a written policy that meets or exceeds the
110 standards of the version of the model policy most recently distributed
111 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 section 11-4a of the general statutes, to the joint
115 standing committees of the General Assembly having cognizance of
116 matters relating to the judiciary and public safety and security. The
117 report shall include any recommendations for statutory or policy
118 changes within the purview of the council, including any updates or
119 modifications to the model policy for the criminal justice response to
120 sexual assault for the state and any recommendations related to
121 programs for sexual assault 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 a sexual assault incident to provide immediate assistance
125 to the victim. Such assistance shall include, but need not be limited to:

126 (1) Assisting the victim to obtain medical treatment if such treatment
127 is required;

128 (2) Informing the victim of services available, including providing the
129 victim with (A) contact information for a regional sexual assault
130 organization that employs, or provides referrals to, counselors who are
131 trained in providing trauma-informed care, and (B) a copy of the

132 information concerning services and resources available to victims of
133 sexual assault published pursuant to section 10-10g of the general
134 statutes, as amended by this act;

135 (3) If there is a child at the scene, providing the victim with a copy of
136 the documents concerning behavioral and mental health evaluation and
137 treatment resources available to children developed pursuant to section
138 17a-22r of the general statutes for the mental health region in which such
139 victim is located; and

140 (4) Referring the victim to the Office of Victim Services within the
141 Judicial Branch.

142 Sec. 3. Section 10-10g of the 2024 supplement to the general statutes
143 is repealed and the following is substituted in lieu thereof (*Effective from*
144 *passage*):

145 (a) Not later than December 1, [2022] 2024, and annually thereafter,
146 the Office of Victim Services within the Judicial Department, in
147 consultation with the Connecticut Coalition Against Domestic Violence
148 and the Connecticut Alliance to End Sexual Violence, shall compile
149 information concerning services and resources available to victims of
150 domestic violence and sexual assault and provide such information
151 electronically to the Department of Education, and electronically and in
152 hard copies to (1) the Division of State Police within the Department of
153 Emergency Services and Public Protection, (2) each municipal police
154 department, and (3) each ambulance company and organization,
155 whether public, private or voluntary, that offers transportation or
156 treatment services to patients under emergency conditions. Such
157 information shall include, but need not be limited to, (A) referrals
158 available to counseling and supportive services, including, but not
159 limited to, the Safe at Home program administered by the Office of the
160 Secretary of the State, sexual assault crisis centers, shelter services,
161 medical services, domestic abuse and sexual assault hotlines, legal
162 counseling and advocacy, mental health care and financial assistance,
163 and (B) procedures to voluntarily and confidentially identify eligibility

164 for referrals to such counseling and supportive services. Such
165 information shall be translated into, and provided in, multiple
166 languages, including, but not limited to, English, Polish, Portuguese and
167 Spanish.

168 (b) Not later than January 1, 2020, the Department of Education shall
169 publish the information compiled and provided pursuant to subsection
170 (a) of this section on the Internet web site of the department. If informed
171 of any necessary revisions by the Office of Victim Services within the
172 Judicial Department, the Department of Education shall revise such
173 published information.

174 (c) For the school year commencing July 1, 2020, and each school year
175 thereafter, the Department of Education shall disseminate the
176 information published pursuant to subsection (b) of this section to each
177 local and regional board of education. Each local and regional board of
178 education shall require the provision of such information to any (1)
179 student or parent or guardian of a student who expresses to a school
180 employee, as defined in section 10-222d, that such student or parent or
181 guardian or a person residing with such student or parent or guardian
182 does not feel safe at home due to domestic violence or sexual assault,
183 and (2) parent or guardian of a student who authorizes the transfer of
184 such student's education records to another school.

185 Sec. 4. Subsection (c) of section 10-10g of the 2024 supplement to the
186 general statutes, as amended by section 56 of public act 23-167, is
187 repealed and the following is substituted in lieu thereof (*Effective July 1,*
188 *2025*):

189 (c) For the school year commencing July 1, 2020, and each school year
190 thereafter, the Department of Education shall disseminate the
191 information published pursuant to subsection (b) of this section to each
192 local and regional board of education. Each local and regional board of
193 education shall require the provision of such information to any (1)
194 student or parent or guardian of a student who expresses to a school
195 employee, as defined in section 10-222aa, that such student or parent or

196 guardian or a person residing with such student or parent or guardian
197 does not feel safe at home due to domestic violence or sexual assault,
198 and (2) parent or guardian of a student who authorizes the transfer of
199 such student's education records to another school.

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
Sec. 3	<i>from passage</i>	10-10g
Sec. 4	<i>July 1, 2025</i>	10-10g(c)

Statement of Legislative Commissioners:

In Section 1(j), "amendments" was changed to "modifications" for consistency.

PS *Joint Favorable Subst.*