



State of Connecticut  
DIVISION OF CRIMINAL JUSTICE

## Testimony on the Division of Criminal Justice

### S.B. No. 699 (RAISED) An Act Concerning the Sexual Assault of Children

*Presented by Stephen J. Sedensky, III - State's Attorney, Judicial District of Danbury*

*Joint Committee on Judiciary – March 20, 2008*

With the exception of section 4 as now drafted, the Division of Criminal Justice generally supports **S.B. No. 699 (RAISED) An Act Concerning the Sexual Abuse of Children** and would offer the following comments:

Section two permits a person close to the child to be present in court when the child testifies even if that person is a witness as long as the adult testifies first. The nature of child abuse is such that those closest to the child are usually witnesses for the state in some capacity. The current state of the law excludes them as support persons for the child witness. This amendment to the statute would permit them to be a support person as long as they testified before the child witness. The child, of course, would not be in the courtroom when the adult testifies.

Section three includes child abuse cases with crimes of physical violence as priorities for investigation and prosecution.

Section four creates a new statute that gives child abuse cases automatically privileged trial status. As written, *this is not beneficial to victims* in all cases as it could force them to be a witness before they are ready. It was suggested that the discretion to request privileged trial status be with the prosecutor handling the case. The Division of Criminal Justice would respectfully recommend the following amendment:

Section 54-56c of the general statutes is repealed and the following is substituted in lieu thereof:

If the accused enters a plea of not guilty, the state's attorney, assistant state's attorney or deputy assistant state's attorney may, in accordance with rules

adopted by the judges of the Superior Court, request that the case be privileged with respect to assignment for trial. Absent good cause to the contrary, any such request made in cases involving child abuse or elder abuse, including financial abuse of an elderly person, the court shall grant the request and schedule the case for trial as soon as possible.

If the current proposal does pass, it should be situated somewhere near 54-56c.

Section twelve which amends C.G.S. 19a-112e (5) does not include Risk of Injury to a Minor under C.G.S. 53-21(2) in the definition of sexual offense. This section of the Risk of Injury Statue is typically considered a sexual offense by prosecutors, though it does not require "sexual intercourse" to be committed. We call this to your attention if the intent of the legislation is otherwise.

The Division of Criminal Justice wishes to thank the Committee for providing us with the opportunity to present our input on this bill. We would be happy to provide any additional information or to answer any questions the Committee might have.