



**State of Connecticut**  
**DIVISION OF CRIMINAL JUSTICE**

**Testimony of the Division of Criminal Justice**  
**Joint Committee on Public Health – February 11, 2009**

**In support of:**

- **H.B. No. 6361 An Act Concerning the Establishment of a Sexual Assault Forensic Examiners Program**

The Division of Criminal Justice supports H.B. No. 6361, An Act Concerning the Establishment of a Sexual Assault Forensic Examiners Program, and wishes to thank the Joint Committee on Public Health and others for their work on this issue. The concept of this bill has been before the General Assembly for several years and the bill as presented this year addresses the important concerns that were raised in the past.

The bill would give the Office of Victim Services in the Judicial Branch the power to establish a Sexual Assault Forensic Examiners Program. The Division of Criminal Justice has long supported the establishment of such a program in the appropriate agency as we believe it would better protect the interests of victims of sexual assault and facilitate the effective prosecution of sexual assault cases. H.B. 6361 establishes the program under the Office of Victim Services, which has an exemplary record of serving the victims of crime and their needs.

Additionally, Section 4 of the bill would transfer from the Division of Criminal Justice to the Office of Victim Services the responsibility for the payment of the costs incurred in the collection of forensic evidence in sexual assault investigations. The Division of Criminal Justice does not believe this would have any significant fiscal impact. The Division of Criminal Justice would anticipate the funding currently provided to the Division for the payment of the collection of evidence would be transferred to the Office of Victim Services upon enactment of this legislation. We would note that no specific resources have ever been provided to the Division of Criminal Justice for the administrative costs of processing these payments. As such we would assume that the Office of Victim Services would process these payments in the same fashion in their normal course of business.

The Division of Criminal Justice believes the Office of Victim Services is a more appropriate agency to process medical claims presented for the provision of medical services to victims. Further, the Division would note that such a system is preferable from a legal standpoint. The Division of Criminal Justice, as the agency responsible for the ultimate prosecution of the crime for which evidence is collected, should be a long arm's distance from what is essentially a medical process and not an investigative process.

It is for this very same reason that the Division has opposed proposals in the past to establish a forensic nursing program within the Division or under its direct oversight and administration. The Division of Criminal Justice would continue to provide necessary input concerning the collection of what may become evidence in a criminal proceeding both through its continued participation in the Commission for the Standardization of the Collection of Evidence in Sexual Assault Investigations established pursuant to Section 19a-

112a of the General Statutes and as a member of the Sexual Assault Forensic Examiners Advisory Committee that would be established pursuant to Section 1 of H.B. No. 6361. The Chief State's Attorney or his designee currently serves as Chair of the Standardization Commission; the Chief State's Attorney or his designee would serve on the Advisory Board envisioned in Section 1 of the bill.

With regard to Section 1 of the bill, we would respectfully suggest that the Committee consider adding a representative of the Connecticut Police Chiefs Association and the Commissioner of the Department of Children and Families or his or her designee to the advisory committee. We would suggest these additions because of (1) the number of sexual assault cases that are investigated by municipal police departments and in which a local officer will be at the hospital, and (2) the number of cases where the victim is a child and where the expertise of DCF would be beneficial.

In closing, the Division of Criminal Justice thanks the Committee for its careful attention to this matter. The Division would be happy to provide any additional information the Committee might require or to answer any questions that you might have.