



General Assembly

January Session, 2009

Committee Bill No. 646

LCO No. 5009

05009SB00646JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT EXCLUDING SEXUAL ASSAULT AND OTHER VIOLENT
CRIME VICTIMS FROM JURY SERVICE IN CERTAIN CRIMINAL
CASES.**

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

1 Section 1. Section 51-232 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) The Jury Administrator shall send to each juror drawn, by first
4 class mail, a notice stating the place where and the time when he is to
5 appear and such notice shall constitute a sufficient summons unless a
6 judge of said court directs that jurors be summoned in some other
7 manner.

8 (b) Such summons or notice shall also state the fact that a juror has a
9 right to one postponement of the juror's term of juror service for not
10 more than ten months and may contain any other information and
11 instructions deemed appropriate by the Jury Administrator. If the date
12 to which the juror has postponed jury service is improper, unavailable
13 or inconvenient for the court, the Jury Administrator shall assign a
14 date of service which, if possible, is reasonably close to the

15 postponement date selected by the juror. Such notice or summons shall
16 be made available to any party or the attorney for such party in an
17 action to be tried to a jury. The Jury Administrator may grant
18 additional postponements within or beyond said ten months but not
19 beyond one year from the original summons date.

20 (c) (1) The Jury Administrator shall send to a prospective juror a
21 juror confirmation form and a confidential juror questionnaire. [Such]
22 The questionnaire shall include questions eliciting the prospective
23 juror's name, age, race and ethnicity, occupation, education and
24 information usually raised in voir dire examination. The questionnaire
25 shall inform the prospective juror that information concerning race and
26 ethnicity is required solely to enforce nondiscrimination in jury
27 selection, that the furnishing of such information is not a prerequisite
28 to being qualified for jury service and that such information need not
29 be furnished if the prospective juror finds it objectionable to do so.

30 (2) The questionnaire shall also include a question eliciting whether
31 the prospective juror wishes to identify himself or herself as a victim of
32 a violent crime, and whether, due to the juror's status as a victim of
33 violent crime, the juror wishes to be excused from service on any
34 criminal case where the defendant is accused of a violent crime. The
35 questionnaire shall also inform the prospective juror that information
36 concerning the prospective juror's status as a victim of violent crime is
37 sought solely to allow such prospective juror to be excluded from jury
38 service on any criminal case where the defendant is accused of a
39 violent crime, that the furnishing of such information is not a
40 prerequisite to being qualified for jury service and that such
41 information need not be furnished if the prospective juror finds it
42 objectionable to do so.

43 (3) Such juror confirmation form and confidential juror
44 questionnaire shall be signed by the prospective juror under penalty of
45 false statement.

46 (4) The Jury Administrator shall verify the information in any

47 questionnaire submitted by a juror who identifies himself or herself as
48 a victim of violent crime and requests to be excused from jury service
49 pursuant to subdivision (2) of this subsection. Upon verifying such
50 information, the Jury Administrator shall ensure that the prospective
51 juror is excused from jury service in a criminal case where the
52 defendant is accused of a violent crime and shall notify the prospective
53 juror in a manner that ensures that the prospective juror is not
54 required to appear for voir dire in any such criminal case.

55 (5) [Copies] Except in a criminal case where a juror is excused from
56 jury service pursuant to subdivision (4) of this section, copies of the
57 completed questionnaires shall be provided to the judge and counsel
58 for use during voir dire or in preparation therefor. Counsel shall be
59 required to return such copies to the clerk of the court upon
60 completion of the voir dire. Except for disclosure made during voir
61 dire or unless the court orders otherwise, information inserted by
62 jurors shall be held in confidence by the court, the parties, counsel and
63 their authorized agents. [Such completed] Any questionnaires
64 completed pursuant to this subsection shall not constitute a public
65 record.

66 (d) The number of jurors in a panel may be reduced when, in the
67 opinion of the court, such number of jurors is in excess of reasonable
68 requirements. Such reduction by the clerk shall be accomplished by lot
69 to the extent authorized by the court and the jurors released shall be
70 subject to recall for jury duty only if and when required.

71 (e) In each judicial district, the Chief Court Administrator shall
72 designate one or more courthouses to be the courthouse to which
73 jurors shall originally be summoned. The court may assign any jurors
74 of a jury pool to attend any courtroom within the judicial district.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	51-232

Statement of Purpose:

To excuse a violent crime victim from jury service on any criminal case where the defendant is accused of a violent crime in order to avoid further psychological trauma to the victim.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

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